Ontario

Ministry of Labour
Annual Report
1988/89

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1988/89

Fiscal year ending
March 31, 1989

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Ontario Ministry of Labour
Ministère du Travail de l'Ontario

Office of the Minister
Bureau du Ministre

400 University Avenue
Toronto, Ontario
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416/965-4101

September, 1989

His Honour
The Lieutenant-Governor in Council

May it please Your Honour:

I am pleased to present the 70th annual report of the Ministry of Labour, covering the financial year ending March 31, 1989.

The level of activity in all areas of the ministry's mandate was significant, most especially in the policy-development area as the government pressed ahead with its effort to refresh and renew Ontario's labour market legislation.

Through Bill 114, which was passed and granted assent by Your Honour, the Employment Standards Act was amended to make Boxing Day a public holiday and to strengthen the rights of retail workers to refuse unreasonable Sunday work.

In the area of workers' compensation, the ministry was involved extensively in the Assembly's consideration of Bill 162, a bill designed to make the workers' compensation system more equitable.

Progressive and far-reaching steps were taken in the field of occupational health and safety. The ministry was involved extensively in the implementation of the Workplace Hazardous Materials Information System (WHMIS), which came into effect across Canada on October 31, 1988.

The ministry prepared Bill 194, a bill to restrict smoking in the workplace. The first provincial legislation of its kind, the bill received first and second reading during the year.

The ministry also completed preparations for the introduction of Bill 208, which is designed to increase joint labour-management participation in workplace health and safety and to bring greater levels of safety education and training into the workplace.

Overall, it was a fruitful and progressive year. My thanks go to the ministry staff for their diligent effort and effective work.

Gerry Phillips

The Honourable Gerry Phillips
Minister

Ontario Ministry of Labour
Ministère du Travail de l'Ontario

Office of the Deputy Minister
Bureau du sous-ministre

400 University Avenue
Toronto, Ontario
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September, 1989

The Honourable Gerry Phillips
Minister of Labour

Dear Mr. Phillips:

I am pleased to submit for your consideration the annual report of the Ontario Ministry of Labour for the 1988-89 financial year.

The year was an extremely active and productive one for the ministry in each of the legislative, policy and field services sectors of our work.

I wish to commend and thank our ministry staff for the energetic, creative and professional service that they provided during the year.

Respectfully submitted

George Thomson
Deputy Minister

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Acts Administered

	Administered By
Crown Employees Collective Bargaining Act	Crown Employees Grievance Settlement Board and Ontario Public Service Labour Relations Tribunal
Employment Agencies Act	Employment Standards
Employment Standards Act	Employment Standards
Government Contracts Hours and Wages Act	Employment Standards
Hospital Labour Disputes Arbitration Act	Office of Arbitration
Industrial Standards Act	Employment Standards
Labour Relations Act	Labour Relations Board
Ministry of Labour Act	Main Office
Occupational Health and Safety Act	Occupational Health and Safety Division
One Day's Rest in Seven Act	Employment Standards
Pay Equity Act	Pay Equity Commission
Rights of Labour Act	Main Office
Workers' Compensation Act	Workers' Compensation Board
Workers' Compensation Insurance Act	Workers' Compensation Board
Blind Workmen's Compensation Act	Workers' Compensation Board

Some Facts and Figures on the 1988/89 Year *

Expenditures	$119.4 million
Number of Staff at March 31, 1989	1,570

Industrial Relations

Conciliations Undertaken	3,542
Number of Employees Affected	347,645
Mediations Undertaken Where No Work Stoppage Was Involved	812
Number of Employees Affected	148,169
Mediations Undertaken Where Work Stoppage Was Involved	147
Number of Employees Affected	50,079

Employment Standards

Number of Files Closed	18,397
Number of Collections Made on Behalf of Employees	11,427
Number of Employees Benefited	24,748
Amount Collected	$18.9 million
Inquiries Handled	1,038,057

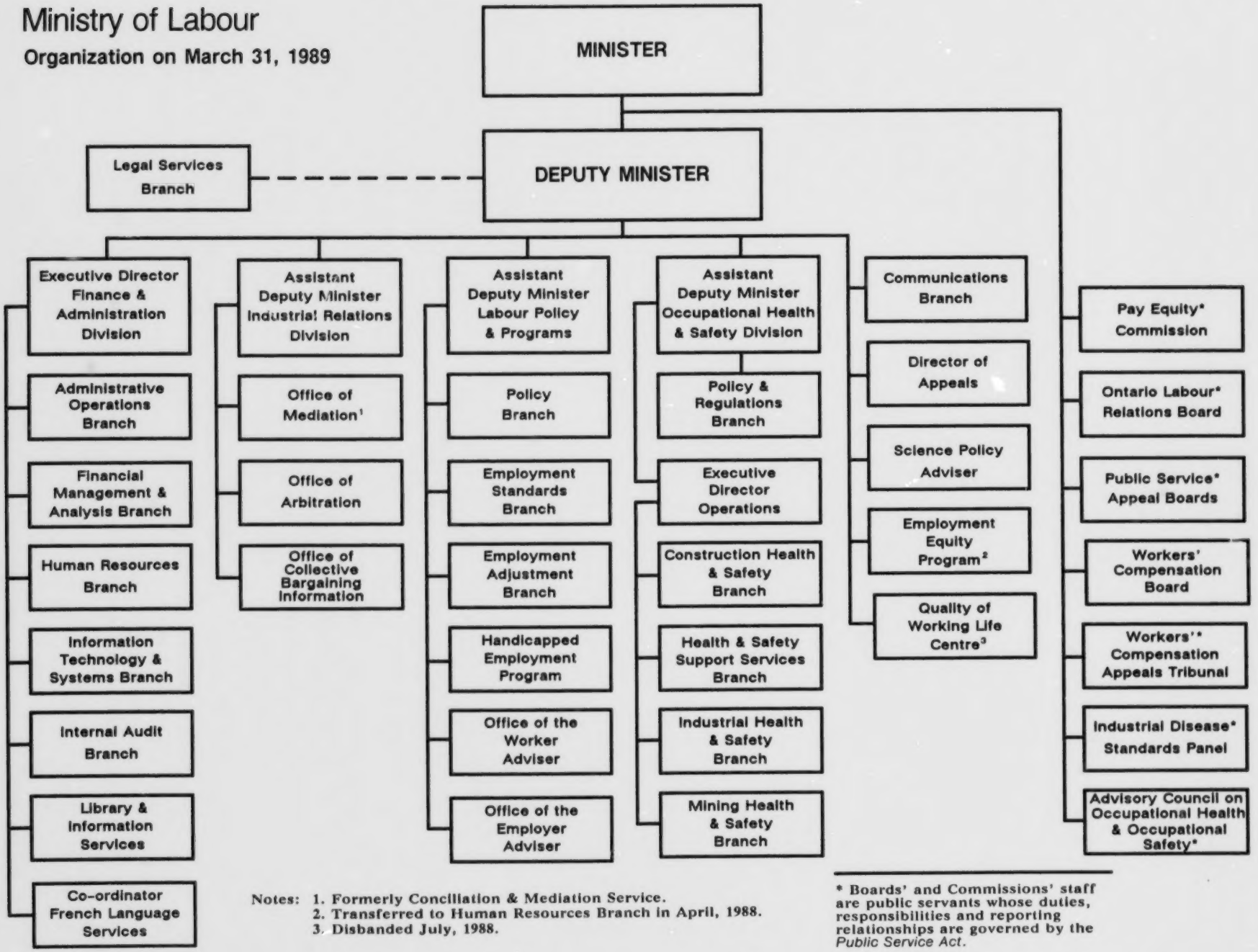
Occupational Health and Safety

Inspections Conducted	79,420
Orders Issued	90,504
Stop-work Orders Issued	4,074
Prosecutions Undertaken	910
Chest X-rays Conducted	24,833
Pulmonary Function Tests Performed	23,770
Laboratory Analyses Done	83,028

* The provincial laws administered by the Ontario Ministry of Labour and the agencies, boards and commissions that report to the Legislative Assembly through the Minister of Labour, cover approximately 4 million workers at approximately 241,000 workplaces in Ontario. Federal law covers the approximately 446,000 workers in Ontario who work in federally-regulated sectors.

Ministry of Labour

Organization on March 31, 1989


MINISTER
DEPUTY MINISTER
Legal Services Branch
Executive Director Finance & Administration Division
Administrative Operations Branch
Financial Management & Analysis Branch
Human Resources Branch
Information Technology & Systems Branch
Internal Audit Branch
Library & Information Services
Co-ordinator French Language Services
Assistant Deputy Minister Industrial Relations Division
Office of Mediation[1]
Office of Arbitration
Office of Collective Bargaining Information
Assistant Deputy Minister Labour Policy & Programs
Policy Branch
Employment Standards Branch
Employment Adjustment Branch
Handicapped Employment Program
Office of the Worker Adviser
Office of the Employer Adviser
Assistant Deputy Minister Occupational Health & Safety Division
Policy & Regulations Branch
Executive Director Operations
Construction Health & Safety Branch
Health & Safety Support Services Branch
Industrial Health & Safety Branch
Mining Health & Safety Branch
Communications Branch
Director of Appeals
Science Policy Adviser
Employment Equity Program[2]
Quality of Working Life Centre[3]
Pay Equity* Commission
Ontario Labour* Relations Board
Public Service* Appeal Boards
Workers' Compensation Board
Workers'* Compensation Appeals Tribunal
Industrial Disease* Standards Panel
Advisory Council on Occupational Health & Occupational Safety*

Notes: 1. Formerly Conciliation & Mediation Service.
2. Transferred to Human Resources Branch in April, 1988.
3. Disbanded July, 1988.

* Boards' and Commissions' staff are public servants whose duties, responsibilities and reporting relationships are governed by the *Public Service Act*.

Industrial Relations Division

L.V. Pathe
Assistant Deputy Minister

The role of the Industrial Relations Division is to promote harmonious relations between employers and employees in order to help ensure a stable labour relations climate in the province by:

- Encouraging effective bargaining as contemplated by the *Labour Relations Act*
- Promoting peaceful settlements through conciliation and mediation services
- Providing, where necessary, preventive mediation assistance to labour and management during the term of a collective agreement
- Facilitating the processes of grievance and interest arbitration in accordance with the intention of the *Labour Relations Act* and the *Hospital Labour Disputes Arbitration Act*
- Collecting and analysing collective bargaining information for the use of the ministry and the industrial relations community.

The objective is pursued through Program Administration, the Office of Collective Bargaining Information (formerly the Research and Analysis Unit), the Office of Mediation (formerly the Ontario Conciliation and Mediation Service), and the Office of Arbitration.

The assistant deputy minister is responible for directing and co-ordinating the activities of the Industrial Relations Division.

Labour Management Advisory Committee

The Labour Management Advisory Committee is responsible for advising the minister with respect to persons qualified to act as arbitrators and matters relating to the arbitration process.

Construction Industry Advisory Board

The Construction Industry Advisory Board advises the minister of issues of common concern to labour and managment in the construction industry.

Office of Collective Bargaining Information

Catherine Winter
Administrator

L. Haywood
Chief Economist

The Office of Collective Bargaining Information, an important resource for the labour-management community, collects, develops and provides information, data and analyses on collective agreements, negotiated wages and benefits, and a range of matters related to labour relations and collective bargaining. It also maintains an up-to-date file of all collective agreements covering Ontario employees for public and government use.

The office is equipped with an automated industrial relations information system (IRIS) to provide quick responses to a wide range of requests from labour, management and government for collective bargaining information.

In 1988/89:

The office responded to over 5,000 requests for information on collective bargaining

In addition to creating special reports, the office published regular reports, including:

- *Collective Bargaining Settlements in Ontario* (monthly).

  Summarizes all settlements covering 200 employees or more

- *Wage Developments in Collective Bargaining Settlements in Ontario* (quarterly).

  An analytical report, by industry sector, of wage developments emerging from settlements covering 200 employees or more

- *Collective Bargaining Expirations* (annual).

  A report on the collective agreements scheduled to expire during the year

- *Ontario Collective Bargaining Review* (annual).

  A review of collective bargaining developments, including a description of the economic climate in which the bargaining took place, and analyses of such features as the extent of bargaining and the duration of negotiations

- *Work Stoppages by Industry in Ontario* (monthly).

  A report on strikes and lock-outs in the province

- *Wages for Selected Occupations in the Ontario Construction Industry.*

  A report on wage rates for selected occupations in the industrial, commercial and institutional sector of the construction industry in Ontario.

Office of Mediation

Romain C. Verheyen
Director

The goal of the Office of Mediation, which operates under the Labour Relations Act, is to foster harmonious labour relations by promoting peaceful settlements of collective bargaining disputes through conciliation and mediation and by providing preventive mediation assistance to labour and management during the term of a collective agreement.

In 1988/89:

Conciliation officers disposed of 2,734 assignments compared to 2,880 the previous year

Remedial mediation dispositions totalled 808 assignments, of which, 133 involved a work stoppage

Mediators played a preventive role in 200 assignments compared to 149 assignments disposed of in 1987/88.

Conciliation Activity

	1988/89		1987/88	
	Disputes	**Employees**	**Disputes**	**Employees**
Total Caseload:	**3,542**	**347,645**	3,560	473,707
Carried from Previous Year	**680**	**70,514**	637	65,431
Assigned to Officer During Year	**2,862**	**277,131**	2,923	408,276
Dispositions by Officers	**2,734**	**299,984**	2,880	403,193
Settled During Conciliation				
Construction	**65**	**5,582**	80	571
Non-construction	**789**	**56,176**	868	83,353
No Board				
Construction	**378**	**60,154**	299	14,412
Non-construction	**1,261**	**153,894**	1,380	285,848
Referred to Conciliation Board				
Construction	**0**	**0**	0	0
Non-construction	**0**	**0**	0	0
Lapsed or Withdrawn				
Construction	**21**	**3,490**	20	352
Non-construction	**220**	**20,688**	223	18,657
Assignments Pending at March 31	**808**	**47,661**	680	70,514

Preventive Mediation Activity

	1988/89		1987/88	
	Situations	**Employees**	**Situations**	**Employees**
Assignments Received and Disposed of by Officers	**200**	**21,176**	217*	62,249

* *149 of these assignments were disposed of in fiscal 1987/88*

Remedial Mediation Activity (p)

	1988/89						1987/88					
	Total		No Work Stoppage Involved		Work Stoppage Involved		Total		No Work Stoppage Involved		Work Stoppage Involved	
	Disputes	Employees	Disputes	Employees	Disputes	Employees	Disputes	Employees	Disputes	Employees	Disputes	Employees
Total Caseload	959	198,248	812	148,169	147	50,079	1,092	129,886	848	100,578	244	29,308
Carried From Previous Years	136	14,597	107	11,508	29	3,089	205	12,822	120	2,709	85	10,113
Assigned to Officers During Year	823	183,651	705	136,661	118	46,990	887	117,064	728	97,869	159	19,195
Dispositions	808	183,639	675	135,393	133	48,246	956	115,289	741	89,070	215	26,129
Settled Prior to Mediation	39	6,195	37	6,171	2	24						
Settled During Mediation	597	111,211	510	84,413	87	26,798	726	98,581	598	79,785	128	18,796
Settled Following Mediation	150	65,621	109	44,383	41	21,238	203	15,494	129	8,634	74	6,860
Arbitration	4	154	3	84	1	70	3	145	2	130	1	15
Lapsed	7	267	6	167	1	100	11	420	6	280	5	140
Closed by Mediator, No Further Action by Parties	11	191	10	175	1	16	13	649	6	241	7	408
Assignments Pending at March 31	151	14,609	137	12,776	14	1,833	136	14,597	107	11,508	29	3,089

(p) Preliminary

Office of Arbitration

Jean M. Read
Director

The Office of Arbitration assists the minister in carrying out his statutory responsibilities for constituting boards of arbitration and appointing single arbitrators under the *Labour Relations Act* and the *Hospital Labour Disputes Arbitration Act*. The office is responsible for the receipt and processing of requests from employers and trade unions for the appointment of arbitrators and nominees to boards of arbitration. This includes identifying individuals qualified to act under ministerial appointment, providing administrative services to arbitrators, monitoring the progress of arbitration proceedings and cataloguing arbitration awards for public availability. In association with the Minister of Labour's Labour-Management Advisory Committee, which advises the minister on matters pertaining to arbitration, the office maintains a roster of arbitrators and is actively involved in the training of prospective arbitrators. Through its staff of grievance mediators, the Office of Arbitration also provides labour and management with grievance mediation assistance.

The Office of Arbitration also has responsibility for co-ordinating appeals under the *Employment Standards Act*.

The complement for fiscal 1988/89 was 29, consisting of a director, 10 grievance mediators and 18 clerical and administrative staff.

In 1988/89, the Office of Arbitration's activities included:

The appointment by the minister, under section 40(a) of the *Labour Relations Act* and at the request of trade unions attempting to establish new collective agreements, of three nominees to represent employers on boards of arbitration and four arbitrators to chair boards

The involvement of the minister in the appointment, under section 44 of the *Labour Relations Act*, of 293 arbitrators for parties experiencing difficulty establishing a board of arbitration under the terms of a collective agreement

Supplying, on 296 occasions, lists of five arbitrators at the request of parties to assist them to reach mutual agreement in the appointment of an arbitrator under section 44 of the *Labour Relations Act*

The appointment by the minister, under section 44 of the *Labour Relations Act* and at the request of parties to a dispute, of one nominee to represent the other side on a board of arbitration

Providing, in 1,154 cases, the services of grievance mediators to parties proceeding to arbitration under the collective agreement. Of this number, 963 were resolved. The settlement rate in this area was 83 per cent

Receiving 3,237 requests for the appointment of single arbitrators under section 45 of the *Labour Relations Act*, of which, 1,712 appointments were made by the minister

Resolving 1,543 of 1,909 disputes under section 45 of the *Labour Relations Act* prior to hearing, for a settlement rate of 80 per cent

The involvement of the minister in the appointment, under the *Hospital Labour Disputes Arbitration Act*, of 92 arbitrators for parties in the health care field experiencing difficulties in establishing boards of arbitration to make or renew a collective agreement

Supplying, on 122 occasions, lists of five arbitrators at the request of parties

to assist them to reach mutual agreement in the appointment of an arbitrator under the *Hospital Labour Disputes Arbitration Act*

The appointment by the minister, under the *Hospital Labour Disputes Arbitration Act* and at the request of parties to a dispute, of three nominees to represent the other side on a board of arbitration

The appointment, under the *Employment Standards Act*, of 187 referees through the Office of Arbitration to hear appeals against Orders to Pay issued by the Employment Standards Branch

Receiving and cataloguing 1,720 awards during fiscal 1988/89. Awards in the amount of 15,437 pages were purchased by the public

The case load of the Office of Arbitration is more particularly described in the two tables below.

Arbitration Activities

	1988/89						1987/88						
	Employ. Stds. Appeals	Hospital Labour Disputes Arb. Act	Labour Relations Act S.40(a)	S.44	S.45*	Total	Employ. Stds. Appeals	Human** Rights Bds. of Inquiry	Hospital Labour Disputes Arb. Act	Labour Relations Act S40(a)	S.44	S.45*	Total
Applications/Requests:													
Carried Over From Previous Year	83	201	1	336	614	1,235	78	39	224	0	494	901	1,736
Received During Current Year	228	258	3	475	3,237	4,201	123	64	253	4	582	3,138	4,164
Closed	199	203	4	430	3,300	4,136	118	69	276	3	740	3,425	4,631
Outstanding at Year End	112	256	0	381	551	1,300	83	34	201	1	336	614	1,269
Breakdown of Activities:													
Arbitrators/Referees Appointed or Arranged	187	92	4	293	1,712	2,288	100	59	110	1	392	1,717	2,379
Nominees Appointed	x	3	3	1	x	7	x	x	2	2	4	x	8
Panels Provided	x	122	0	296	x	418	x	x	128	x	410	x	538
Applications/Requests Awards Filed	158	133	2	866	561	1,720	96	63	117	0	1,136	665	2,077
Total Awards Purchased (# of Pages)	x	x	x	x	x	15,437	x	x	x	x	x	x	21,914

* *Expedited grievance arbitration.*
** *Transferred to Ministry of Citizenship, April 1988*

LEGEND: 0 = NO ACTIVITY
X = NOT APPLICABLE

Mediation Activities

	1988/89			1987/88		
	Labour Relations Act (rights disputes)			Labour Relations Act (rights disputes)		
	S.44	S.45*	Total	S.44	S.45*	Total
Mediation Assignments:						
• carried over from previous year	146	101	247	165	14	179
• made during current year	1,325	1,901	3,226	967	1,801	2,768
• assignments completed	1,154	1,909	3,063	986	1,714	2,700
• outstanding at year end	258	93	351	146	101	247
• mediation settlements	963	1,543	2,506	799	1,216	2,015
• percentage of settlements/ assignments completed	83%	80%	82%	81%	71%	75%

* *Expedited grievance arbitration*

Occupational Health and Safety Division

T.J. (Tim) Millard
Assistant Deputy Minister

Arthur Gladstone
Executive Director, Operations

The Occupational Health and Safety Division seeks to improve worker health and safety in Ontario workplaces by:

Identifying and reducing occupational risks

Providing an information, policy and legislative base that will facilitate and necessitate mutual and co-operative efforts of the workplace parties to reduce occupational health and safety risks

Advising, educating or training (as appropriate) all parties with respect to rights and responsibilities under the legislation.

1988/89 Activities

The division administers the *Occupational Health and Safety Act* and regulations made under the Act for: construction projects; mines and mining plants; industrial establishments; teachers and university academics; X-ray safety; offshore oil and gas drilling; firefighters' protective equipment; the inventory of chemical or biological agents for the purpose of identifying new agents being manufactured, imported or distributed; and 12 regulations for the control of exposure to toxic substances that have been designated under section 41 of the Act.

The assistant deputy minister is responsible for broad policy issues, legislative initiatives, and external relations for the division.

The executive director, operations, is responsible for the delivery of services, operations policy and related administrative issues for the four line branches of the division.

The division was involved in the preparation and extensive consultations relating to the proposed amendments to the *Occupational Health and Safety Act*, Bill 208, introduced into the legislature for first reading in January 1989. In addition, Bill 194, smoking in the workplace, was introduced and received second reading in February 1989.

WHMIS Implementation Project

During 1988/89 the division took steps to prepare for and implement the national right-to-know legislation known as the Workplace Hazardous Materials Information System, or WHMIS. WHMIS is meant to ensure that employers and workers have the necessary information on the hazardous materials used in their workplaces. The system is implemented by complementary federal and provincial legislation. The federal *Hazardous Products Act*, Controlled Products Regulations and *Hazardous Materials Information Review Act* as well as Ontario's amended *Occupational Health and Safety Act* and WHMIS Regulation were all proclaimed on October 31, 1988 to signal the beginning of WHMIS. WHMIS consists of hazardous materials labelling,

the provision of material safety data sheets and the education and training of workers in the safe use and handling of these materials.

The WHMIS Implementation Project was initiated to ensure that all aspects of a comprehensive administrative and enforcement program consistent with existing policies and procedures were put into place.

In 1988/89, project staff, under the direction of an implementation co-ordinator:

Implemented a communications plan in consultation with the ministry's Communications Branch to ensure that affected suppliers, employers and workers were aware of the upcoming requirements of WHMIS. This included attendance at trade shows, seminars and conferences; newspaper advertising; ministerial press conferences; direct mailings and the creation of a WHMIS information centre, which handled over 15,000 telephone enquiries

Developed the various administrative and enforcement procedures as well as the computer systems to support them

Provided training for over 500 field staff, including inspectors, hygienists, doctors, technicians and management staff, on the essential elements of WHMIS and the procedures to be used in its enforcement

Provided funding for, and assisted the Occupational Health and Safety Education Authority in, the development and promotion of a comprehensive worker education program that is distributed and delivered by the various safety associations in the province and intended to help employers comply with the WHMIS legislation

Co-ordinated the development of Ontario's WHMIS Regulation consistent with the regulations adopted by other provinces

Participated in WHMIS co-ordination at a national level as a member of the Inter-jurisdictional WHMIS Co-ordination Committee, along with the other provincial regulators, Labour Canada and Consumer and Corporate Affairs Canada, the Canadian Labour Congress, the Canadian Chemical Producers' Association and the Canadian Manufacturers' Association

Supported division staff by providing information on WHMIS, communicating policy decisions and making available public speaking kits

Areas Reporting to the Assistant Deputy Minister

Under the division's structure, two services and one unit report to the assistant deputy minister. These are the Information and Administrative Services Section, the Program Analysis and Evaluation Section, and the Prevention and Promotion Unit.

Information and Administrative Services Section

The section provides the division with centralized services that include: co-ordination of systems development, support of existing line branch computer systems, word processing/desk top publishing, editing and publications control.

In 1988/89, this section:

Co-ordinated the Division Management Information System Study. Conducted

extensive Joint Application Development sessions with head office and field staff

Continued to provide support to the line branches by: maintaining the editing, coding and processing functions of Inspection Reports, Notice of Project; maintaining the Industrial, Construction and Mining Health And Safety Branches' filing systems; and providing information to the inspectorate for follow-up on inspections and investigations

Maintained 'WHMIS Notification System', which was developed for the Occupational Health And Safety Division to automate the registration of suppliers' notification of importation of controlled materials in compliance with section 23 of the Controlled Products Regulation

Continued to provide technical and administrative support to various units within the Occupational Health and Safety Division, the ministry and external task forces through the operation of a word processing/desk top publishing centre

Continued to edit, prepare, co-ordinate for publication and distribute all occupational health and safety materials for the division and external task forces, including the Act, regulations, guides, background documents, survey reports, etc.

Continued to maintain an Information Issues System by recording and distributing contentious issues relating to occupational hazards

Program Analysis and Evaluation Services Section

In 1988/89, this section:

Co-ordinated the development and preparation of the 1989/90 estimates planning submission for the Occupational Health and Safety Division

Provided ongoing advice and guidance to the assistant deputy minister and executive director on division financial planning strategies

Provided assistance to division branches for ongoing fiscal planning, budgeting and monitoring

Prepared and monitored budgets for special expenditures within the division

Developed and reported on the progress of base review plans in accordance with Management Board directives

Provided assistance to division directors by conducting analyses as requested

Prepared accommodation requirements for division head offices

Prevention and Promotion Unit

This unit comprises three areas: The Occupational Health and Safety Advisory Service, the Grants Administration Office (formerly the Advisory Service on Occupational Health and Safety) and the Division Training Unit. The Division Training Unit reports to the executive director, Operations.

Occupational Health and Safety Advisory Service Section

The Occupational Health and Safety Advisory Service Section assists the minister in the matter of disputes concerning joint health and safety committees under section 8(14) of the *Occupational Health and Safety Act*.

The service also receives requests for assistance directly from the workplace parties and the inspectorate branches of the Occupational Health and Safety Division.

In the role of a neutral third party, the mediator/adviser assists to resolve labour

relations and health and safety disputes and to form or establish joint health and safety committees and health and safety programs. Terms of reference for the structure and functioning of committees are jointly developed and agreed upon. Participants in the program usually attend seminars designed to build teamwork, self-reliance and harmonious relationships within the group.

In 1988/89:

Ten disputes concerning joint health and safety committees under section 8(14) of the Act were mediated with settlements

Eight orders under section 8(3) were issued upon the joint request of the workplace parties to approve their joint health and safety committee organization and structure

One hundred and twenty-one joint training seminars with regard to the internal responsibility system and the *Occupational Health and Safety Act* were provided

In conjunction with the division's video unit, two training films were produced concerning the functioning of joint health and safety committees

The unit also provided technical, managerial/administrative assistance and co-ordination to the Workers' Compensation Board in the development and implementation of the Workwell Program under the *Workers' Compensation Act* 91(4) and 91(6).

Caseload	1988/89	1987/88
Cases Handled by Advisers	283	143
Carried Over from Previous Year	67	27
Cases Received and Completed	136	49
Cases Active at Year End	80	67

Division Training Unit

The Division Training Unit is responsible for planning, developing and delivering division-wide training programs and co-ordinating the development of branch training programs.

In 1988/89, the unit:

Developed a 2 1/2-day training program on WHMIS legislation and enforcement and began the development of a five-day training program on investigation skills

Trained 512 field staff and 170 members of other ministries in Workplace Hazardous Material Information System legislation and enforcement

Delivered to 28 new field staff training programs on division orientation, the *Occupational Health and Safety Act*, division policies and procedures and individual designated substances

Presented a four-day course on designated substance regulations to nine field staff

Continued training of health and safety co-ordinators from other ministries on the *Occupational Health and Safety Act*

Co-ordinated a five-day course on investigation skills for 24 field staff

Produced video training programs on roll-over protective structures, first reactions, joint health and safety committees, and inspectors at work along with four video communication programs dealing with both ministry and Occupational Health and Safety Division issues.

Grants Administration Office

The Grants Administration Office of the Prevention and Promotion Unit, formerly the Advisory Service on Occupational Health and Safety, continued to co-ordinate the allocation of transfer payment funds to organizations, institutions and individuals in support of manpower training and development in occupational health and safety, including the funding of applied research projects and the provision of student bursaries.

A close liaison has been maintained with the five Resource Centres for Occupational Health and Safety, the Ontario Centre for Ground Control at Cambrian College in Sudbury, the Lakeshore Area Multi-service Project (LAMP) occupational health and safety demonstration project co-funded with the Ministry of Health, and with other community-based information services in southern Ontario.

In addition, a representative participated extensively in ministry and interministry comrnittee activities to promote and improve occupational health and safety in Ontario workplaces through awareness programs, information displays, student education, local joint health and safety committee activity and training initiatives.

Policy and Regulations Branch

Norm Shulman*
Director

The Policy and Regulations Branch, which reports to the assistant deputy minister, comprises five areas: the Health Studies Service, the Strategic Policy Unit, the Program Development Unit, the Safety Regulations Unit and the Compliance Reporting Service.

A major undertaking of the branch during 1988/89 was the development of amendments to the *Occupational Health and Safety Act*.

Health Studies Service

The Health Studies Service supports the programs of the Occupational Health and Safety Division and the provincial Ministry of the Environment. Upon request, support has also been provided to other ministries and agencies, e.g. Solicitor General, Housing, and Health; the Worker's Compensation Board and, co-operatively, to the Atomic Energy Control Board and various federal/provincial committees.

Support is supplied by the provision of advice on, and research into, conditions that could result in occupational and environmental health hazards.

In 1988/89, the service:

Participated in and provided technical support to the Joint Steering Committee on Hazardous Substances through membership on the Task Force on Health Surveillance and the Task Force on Exposure Values and Limits;

* *Norm Shulman was appointed director on June 14, 1988.*

Undertook multi-disciplinary research and epidemiological studies of factors that contribute to occupational disease; the activities included;

- Phase Three of the study of the mortality of Ontario miners. This now involves 55,000 miners, of whom, 20,000 are uranium miners
- The completion of an epidemiological study of workers exposed to PCBs in a transformer manufacturing plant
- The completion of an epidemiological study of workers in a small steel plant
- The initiation of a study of mortality among workers in steel companies using electric ore furnaces
- An epidemiological study of workers using diesel equipment in salt mines
- The examination of the feasibility of conducting a study of the health of workers exposed to methylene chloride
- The preparation of recommendations for 45 ambient air quality guidelines for airborne chemicals for the Air Resources Branch of the Ministry of the Environment
- Providing advice on the risk to health of spills of toxic chemicals at a number of provincial sites
- Issuing an update of the health effects document on inorganic lead
- Participating with the Ministry of the Environment in assessing the health hazards of sewage treatment plant workers
- Assisting in setting up a study of indoor air quality in selected government offices being conducted by the Centre for Indoor Air Quality Research of the University of Toronto

Participated as members of:

- The Air Quality Guidelines and Objectives Subcommittee of the Federal/Provincial Advisory Committee on Air Quality
- The Ministry of the Environment Multi Media Standard Committee on Lead
- The Interministerial Committee on AIDS
- The Standard Setting Subcommittee of the Air Resources Branch of the Ministry of the Environment
- The Interministerial Committee on Environmental and Economic Issues
- The Task Force on Science Policy of the Ministry of Labour
- The Interministry Criteria Clean-up Committee considering the decommissioning of two oil refineries
- The Ontario Pesticide Advisory Committee (OPAC)

Strategic Policy Unit

The Strategic Policy Unit identifies and develops strategic policies and priorities for the division and the development of division-wide policies. The unit is also responsible for performing statistical analyses on data bases relating to workplace injury and illness.

In 1988/89, the unit:

Participated in the development and passage of Bill 180, an Act to Amend the Occupational Health and Safety Act, to enable Ontario to implement the Workplace Hazardous Materials

Information System (WHMIS), also referred to as 'right-to-know'

Continued participation in the development of national policy relating to the implementation of WHMIS by:

- Participation in the tripartite pan-Canadian WHMIS Committee discussions and decisions
- Participation in the development and drafting of amendments to the federal Controlled Products Regulations
- Chairing of tripartite committee to finalize the Model OSH Regulation used by the Provinces, Territories and federal government to implement WHMIS at the workplace
- Revision to the Model OSH Policy document as required

Participated in the implementation of WHMIS in Ontario by:

- Participation in the development and passage of the Ontario WHMIS Regulation (O.Reg. 644/88)
- Preparation of WHMIS Regulations
- Development of 'Ontario Guide to WHMIS'
- Participation in training of ministry inspectors
- Membership in division committee to co-ordinate implementation policy
- Participation in the development of the WHMIS training package by the Occupational Health and Safety Education Program
- Presentation to client groups and continued response to enquiries from the public to increase awareness and understanding of WHMIS

Was the Ontario representative on the board of governors for the Hazardous Materials Information Commission to provide policy direction to the Hazardous Materials Information Review Commission (HMIRC)

Participated in the development of regulations respecting fees, rules of procedure for appeals and affected parties for the HMIRC

Participated in the development of policy relating to and implementation of community right-to-know by:

- Liaison with client groups concerning community right-to-know
- Chairing of interim ministry task force to develop regulations for inventory requirements and hazardous physical agents
- Participation in development and passage of O.Reg. 643/88
- Development of guideline on community right-to-know.

Participated in the development and introduction of Bill 208, to amend the Occupational Health and Safety Act

Participated in an interministry and multi-stakeholder group developing a Green Paper on Biotechnology

Prepared Report of the Agricultural Health and Safety Implementation Committee

Continued to participate in interministry committee on indoor air quality and in the writing of the final report

Prepared an inventory of back-care programs in Ontario, prepared a summary of legislated provisions on manual materials handling across Canada's jurisdictions, and participated

on a project to develop options on back injury reduction.

Participated in the development of material on occupational health to Premier's Council on Health Strategy

Prepared the Ontario government's response to two questionnaires from the International Labour Organization (ILO) relating to 1) occupational health and safety institutions, and 2) mining, and to ILO Convention 164 'Concerning Health Protection and Medical Care of Seafarers'

Acted as liaison between the Occupational Health and Safety Division and the Deputy Minister's Committee on Occupational and Environmental Health.

Ongoing review of policies and standards from other jurisdictions, including other Canadian jurisdictions, the United Kingdom, the United States, Sweden and Australia

Ongoing review of literature on occupational health and safety evaluation for present and future division programs

Attended conferences and workshops on topics and issues relating to occupational health and safety

Continued research and analysis of work-related injury statistics, extending the work injury information system

Responded to requests, both internal and external, for statistical data on occupational health and safety

Program Development Unit

The Program Development Unit consists of an economic analysis group and two teams of occupational health hazards analysts, working under project managers reporting to the manager.

The principal responsibilities of the health hazards analysts are to provide background information for, and to co-ordinate the development of, regulations for hazardous substances (including designated substance regulations). In addition, analysts develop guidebooks and data sheets to assist the inspectorate and the public in the implementation of the regulations. They also participate in the training of inspectors.

In 1988/89, the unit:

Continued work on the development of proposed amendments to the X-ray Safety Regulation, the Asbestos Regulation, and the Regulation of Asbestos on Construction Projects and in Buildings and Repair Operations

Continued work on proposed regulations for noise, silica on construction projects and in aggregate production, and on the following proposed regulations for the construction industry: coal tar products, chromium, isocyanates and lead

Published a background report on the use of beryllium in Ontario workplaces and an exposure assessment report on pentachlorophenol and tetrachlorophenol

Continued work on the development of draft guidelines for the safe handling of antineoplastic agents in biological safety cabinets

Continued to develop background information on epoxy resins, beryllium and chlorophenols

In association with representatives from the dental professions, continued to evaluate nitrous oxide exposure in dental offices

In association with the Construction Safety Association of Ontario, collected

background information on the control of exposure to noise, silica and chromium in the construction industry

Continued work on the development of educational material on safe work procedures to prevent undue exposure to wood dust and asbestos

Participated in the two tripartite committees established to develop two WHMIS regulations; one for an inventory of chemical agents and one for physical agents

Completed a review of the 1987 NIOSH Respirator Decision Logic document, prepared by the U.S. National Institute for Occupational Safety and Health. Initiated a study comparing the permissible exposure limits in the 1989 OSHA Air Contaminants final rule with the exposure limits set out in the Regulation respecting Control of Exposure to Biological or Chemical Agents (O.Reg. 654/86)

Delivered training sessions for newly hired inspectors on the designated substance regulations for asbestos, asbestos on construction projects and in buildings and repair operations, lead, mercury and isocyanates. Began work on the training of new inspectors on the designated substance regulations for vinyl chloride, acrylonitrile, arsenic, ethylene oxide, benzene, and silica

Prepared material safety data sheets for chromic acid, lead chromate, zinc chromate and trimellitic anhydride

Acted as secretary and provided administrative and technical support to the new bipartite Joint Steering Committee on Hazardous Substances in the Workplace. Prepared a brochure to inform the public about the joint steering committee. Prepared a detailed report on the provisions for medical examinations and tests in the designated substance regulations and in O.Reg. 654/86

Chaired and provided administrative and technical support to the Regulatory Framework and Classification Task Force of the Joint Steering Committee. Prepared five detailed reports at the request of the task force

Economic Analysis Section

The Economic Analysis Section participates in the policy and regulation-making process by providing information on compliance costs and benefits, and potential economic impact assessments of proposed regulations on affected industrial sectors.

In 1988/89, the section:

Reviewed and prepared comments on effluent monitoring regulations and supporting background documents prepared by the Ministry of the Environment under the MISA (Municipal Industrial Strategy for Abatement) program for water quality control

Produced detailed quarterly statistical analyses of labour market developments and economic conditions in Ontario and the possible relationship with trends in workplace injuries and illnesses

Continued to develop background information and collect statistics on the profile of small businesses in Ontario with a view to assessing the economic and financial impact of regulations on small businesses

Prepared preliminary estimates of WHMIS training costs and the overall economic assessment of implementing WHMIS in Ontario

Prepared estimates of the cost of compliance with proposed guidelines for the servicing and operation of biological safety cabinets and the

potential economic impact on those sectors likely to be affected

Responded to a number of requests for frequently used data on workplace injuries and illnesses, injury frequency rates, economic and financial statistics, industry and firm data, and labour market information

*Engineering Controls Section**

Continued to conduct engineering field surveys to assess the ability of industry to control exposures to hazardous substances by means of engineering controls

Prepared draft guidelines for the handling of antineoplastic agents in biological safety cabinets

Safety Regulations Unit

The mission of the Safety Regulations Unit is to contribute to the division's goal of improving worker health and safety by:

Identifying priority safety hazards

Developing operational policies and procedures, and guidelines and regulations aimed at control of safety hazards

Facilitating the administration and assessment of division programs to secure compliance with regulations

This unit also co-ordinates the preparation of *On Site*

In 1988/89, the unit:

Developed the Window Cleaning Regulation, guide and training package for inspectors, and assisted in the development of a Construction Safety Association of Ontario course for window cleaners

Developed the Roll-Over Protective Structures Regulation and guide

Completed a new regulation for workers engaged in the onshore drilling of oil and gas wells, and revised the offshore regulation

Published four editions of *On Site*, the internal newsletter

Participated in a federal/provincial committee struck to develop recommendations to improve worker health and safety in the fishing industry

Co-ordinated and chaired meetings of two tripartite committees to develop the inventory and hazardous physical agents regulations to complement the Workplace Hazardous Materials Information System regulation

Participated in the implementation of the Workplace Hazardous Materials Information System by developing the division's WHMIS Operations Manual of policies and procedures, and participated in the training of inspectors

Participated in an interministerial committee to determine strategy to improve seat belt use in Ontario

Held meetings with management and labour representatives and with line branches to make revisions to regulations addressing electrical hazards

Provided technical expertise regarding occupational health and safety control strategies and standards to the Agricultural Health and Safety Implementation Committee, line branches, CSA committees, the Ontario Fire Service Advisory Committee, the Ontario Police Health and Safety Committee and the public

* *In October 1988, the Engineering Controls Section was phased out as part of a branch reorganization*

Continued to update the operations manuals for the Industrial, Construction and Mining Health and Safety branches

Participated in meetings with other government bodies such as the Ministry of Transportation (regarding railways), Labour Canada and the Canada Coast Guard (regarding dock and offshore operations), to achieve a practical consensus on jurisdictional divisions

Developed a refusal to work policy and procedure, and an after-hours reporting procedure

Compliance Reporting Service

The Compliance Reporting Service (CRS) evaluates the status of compliance with the *Occupational Health and Safety Act* by many companies receiving financial or other benefits from the Province.

The CRS acts as an information link between other branches of the ministry and these companies in order to improve preventive measures and to promote awareness of the Act and regulations. The CRS also examines compliance by these companies with other legislation administered by the ministry or its agencies, including the *Employment Standards Act* and the *Labour Relations Act*.

The CRS began operations in August 1987.

In 1988/89, the service:

Analysed or reviewed compliance performance by approximately 900 companies. These included about 700 recipients of Provincial loans or guarantees totalling approximately $500 million

Improved compliance and improved internal responsibility systems have been noted by inspectors in most of these cases.

- About 400 operations were registered for inspection as a result of CRS evaluations
- About 200 companies were required to submit drawings of their proposed projects for review by the ministry's regional engineers

Has, since September 1988, exchanged information with the Ministry of Natural Resources regarding companies proposed each year for about 400 large commercial timber licences issued under the *Crown Timber Act*. Further policy development in this area is under discussion

Provided special reports to several ministries and agencies, including the Ministry of Industry, Trade and Technology, the Ministry of Energy and the Ontario Women's Directorate. The CRS incorporated the findings and recommendations of other branches of the Ministry of Labour and related agencies, including the Employment Adjustment Branch, the Employment Standards Branch and the Workers' Compensation Board

Researched health and safety contract compliance in other jurisdictions and contributed to discussions on methods of implementing contract compliance in the area of construction health and safety.

Health and Safety Support Services Branch

Peter L. Pelmear, MD., FFOM, CCBOM
Director

The objective of the Health and Safety Support Services Branch is to identify and reduce the risk of worker injury in the Ontario workplace through the contribution of expert knowledge on the recognition, evaluation and control of occupational health hazards.

The branch's journal, *Occupational Health in Ontario*, is published under the direction of an editorial board.

1988/89 Activities

Branch staff contributed significantly on the Inter-ministerial Committee on Indoor Air Quality, the Inter-divisional committee on WHMIS, and in preparing background documentation for the task forces appointed by the Joint Steering Committee on Hazardous Substances.

Resource Service

The Resource Service is composed of the four specific units:

Technical Support, Toxicology, Statistics and Analysis, and Training and Staff Development. The service, through its four units:

- Provides medical, scientific and technical guidance on occupational health and safety matters
- Provides toxicological advice on chemical and biological agents
- Processes the branch field investigation reports for data computerization, oversees processing of branch program delivery data and turnaround statistics, manages health and safety data base systems and provides statistical analyses and interpretation of health effects, exposure and engineering data
- Co-ordinates human resource development and training programs for branch staff.

In addition, the Resource Service:

- Identifies significant areas that require attention for field investigation, monitoring or research
- Co-ordinates field research studies and promotes collaborative research with other agencies or organizations
- Prepares and distributes to branch staff health and safety resource materials such as guidance notes and question/answer circulars
- Provides advice and input concerning the development and formulation of regulatory strategies and policies for the identification, evaluation and control of chemical, physical and biological agents
- Evaluates the notifications of new chemicals introduced in Ontario workplaces as required by section 21 of the Act (246 notifications in 1988/89).

Sources of Resource Service Visit Requests — 1988/89

Carry-over from 1987/88	2
Industrial Health and Safety Branch	2
Construction Health and Safety Branch	19
Total	**23**

Occupational Health Medical Service

Medical Consultants

The medical consultants work with the industrial, construction and mining inspectors, as well as with other members

of the branch, to investigate situations where health hazards may exist, to evaluate occupational health services and to advise on the establishment of medical surveillance programs. The physicians also act as consultants to the Workers' Compensation Board, hospitals and family physicians. During 1988/89, 830 field visits and 360 joint visits were carried out, and comments on 312 air quality reports were made.

Sources of Physicians Visit Requests	
Carry-over from 1987/88	236
Industrial Health and Safety Branch	189
Health and Safety Support Services Branch	246
Construction Health and Safety Branch	5
Mining Health and Safety Branch	1
Workers' Compensation Board	434
Other	20
Total	**1,131**

Nurse Consultants

The nurse consultants visit industries and institutions to audit designated substances medical surveillance programs, to promote occupational health programs where none exist, and to encourage the expansion and upgrading of existing programs.

During 1988/89, 934 field visits were made to audit and promote occupational health services or programs.

Sources of Nursing Consultant Visit Requests	
Carry-over from 1987/88	99
Industrial Health and Safety Branch	59
Health and Safety Support Services Branch	872
Mining Health and Safety Branch	3
Other	37
Total	**1,070**

Medical Service Chest Clinics

The Medical Service Chest Clinics continued to provide medical surveillance testing for workers through both mobile and stationary units and performed chest X-ray and pulmonary function investigations for compensation claimants in Ontario.

In 1988/89, the Chest Clinics:

Continued a survey for morbidity among Ontario sheet-metal workers as part of a larger international project

Completed a study on asthma among surgical rubber glove workers in association with staff from the Toronto General Hospital and with assistance from the Gage Research Institute

Provided teaching staff resources and facilities for the University of Toronto School of Continuing Studies' biannual course, 'Pulmonary Function Testing in Industry'

Presented to occupational chest physicians an ongoing Canada-wide quality control project for chest X-ray readers, using the International Labour Office Standards for classifying radiographs of pneumoconioses

Introduced mobile occupational health surveillance units in two Northern Ontario regions to provide service directly to mine sites

Improved laboratory and professional services for the detailed testing of workers under investigation for hand/arm vibration syndrome

Updated physicians within the Ministry of Labour on the revised American Thoracic Society standards for spirometry

Helped prepare occupational physicians for the Royal College of Physicians' (Canada) fellowship examination in occupational medicine.

Improved presentation facilities for the review of claimants to the Workers' Compensation Board for occupational lung disease

Chest X-ray Examinations

Chest X-ray examinations and forced expired spirometry were conducted, as required by regulations, for the surveillance of workers exposed to the designated substances, free silica and asbestos as well as to beryllium, hard metal, nepheline syenite and cadmium. This program was offered to support the work of examining physicians.

X-rays

Exposure Group	Number of Workers
Silica Mines	9,415
Silica Foundry	4,102
Silica Others	4,046
Asbestos	2,333
Asbestos and Silica (Combined)	1,309
Others (Ex-workers and WCB claimants)	3,628 *
Total Workers Examined	**24,833**

* *This number accounts for only 388 of the 604 claimants examined for evaluation by the Workers' Compensation Board.*

Pulmonary Function Tests

Exposure Group	Number of Workers	Number of Abnormal Results	Percent of Total Tested
Silica Mines	9,151	299	3.3
Silica Foundry	4,103	170	4.1
Silica Others	4,065	159	3.9
Asbestos	2,925	188	6.4
Asbestos/Silica	1,318	58	4.4
Others*	2,208	216	9.8
Total	**23,770**	**1,090**	**5.3**

* *This group consists of ex-workers and 388 of the 604 WCB claimants examined.*

Silicosis

Diagnosis	Previously Reported	Newly Diagnosed	Total
Silicosis	53	11*	64
Complicated Silicosis	0	0	0
Total	**53**	**11**	**64**

* *Includes 9 from mines*

Asbestosis

Radiological evidence of asbestosis was reported in 12 of the 3,642 asbestos exposed workers. Of these, three were newly diagnosed.

Exposure Group	Previously Reported	Newly Diagnosed	Total
Asbestos	6	2	8
Asbestos/Silica	3	1	4
Total	**9**	**3**	**12**

Chest Clinics Activities

Clinic Location	Number of Workers	Number of Chest X-rays	Number of Pulmonary Function Tests
Elliot Lake	1,684	1,684	1,688
Kirkland Lake*	954	954	880
Sudbury	4,487	4,487	3,341
Timmins	2,325	2,325	2,340
Thunder Bay*	1,787	1,787	1,669
Toronto	13,596	13,596	13,872
Total	**24,833**	**24,833**	**23,770**

* *Clinics closed. Numbers indicate tests performed by our mobile service and include films and tracings from outside sources in these areas that were forwarded to the Sudbury clinic for interpretation and reporting purposes.*

Summary

Activities	
Number of X-rays	24,833
Number of pulmonary function tests	23,770

Results and Findings	
New cases of Silicosis	11
New cases of Asbestosis	3
New cases of Dust Effects	34
New cases of Other pneumoconioses	1
Neoplasms	16
TB	7
Sarcoidosis	32

Occupational Health Hygiene Service

The primary activity of this service is to recognize, evaluate and ensure control of occupational health hazards. The service is responsible for evaluating and advising on the industrial hygiene, engineering and ergonomic aspects of occupational health problems. Within this service, field investigations are carried out by occupational hygiene or ergonomic consultants.

During 1988/89, 1,886 hygiene field visits, 179 ergonomic field visits and 360 joint visits were carried out and comments on 953 air quality reports were provided.

Sources of Hygienist Visit Requests	
Carry-over from 1987/88	501
Industrial Health and Safety Branch	1,444
Health and Safety Support Services Branch	454
Construction Health and Safety Branch	79
Mining Health and Safety Branch	22
Workers' Compensation Board	20
Other	24
Total	**2,544**

Sources of Ergonomic Visit Requests	
Carry-over from 1987/88	42
Industrial Health and Safety Branch	137
Health and Safety Support Services Branch	47
Construction Health and Safety Branch	1
Mining Health and Safety Branch	1
Workers' Compensation Board	1
Other	9
Total	**238**

Sources of Joint Service Visit Requests	
Carry-over from 1987/88	39
Industrial Health and Safety Branch	188
Health and Safety Support Services Branch	92
Construction Health and Safety Branch	6
Mining Health and Safety Branch	13
Workers' Compensation Board	6
Other	8
Total	**352**

Summary of Field Visits Requests

	Carry-over 1987/88	New Requests	Outstanding
Physicians	236	895	112
Nurses	99	971	79
Hygienists	492	2,031	402
Ergonomists	42	196	49
Pre-Development Review	9	12	4
Resource Service	2	21	4
Radiation Protection Service	8	259	78
Occupational Health Technicians	334	1,230	305
Joint	39	313	27
Total	**1,261**	**5,928**	**1,060**

Occupational Health Laboratory Service

This service provides analytical and air sampling services for the ministry, clinical analyses for physicians and method development for future needs.

In 1988/89, the service:

Installed a computer system and changed operational procedures to utilize it fully

Completed a project on assessment of exposure to biological agents

Established a system to comply with WHMIS

Developed several analytical methods for hazardous substances

Maintained the quality assurance programs offered by:

- the Centres for Disease Control, Atlanta (monthly)--blood lead
- the Quebec Centre for Toxicology, Laval University (every two months) blood lead and cadmium; urine cadmium, chromium, fluoride, mercury and arsenic
- the NIOSH Proficiency Analytical Testing Program (PAT) (quarterly) lead, cadmium and zinc on filters; assorted solvents on charcoal
- the Industrial Toxicology Laboratory, West Allis Memorial Hospital, Wisconsin (every six months) blood lead
- The College of American Pathologists (CAP) (quarterly) — blood lead
- continued the proficiency testing program for private laboratories

Sources of Environmental Assessments	
Carry-over from 1987/88	334
Health and Safety Support Services Branch	1,230
Total	**1,564**

Summary of Environmental Assessments

Source	Carry-over 1987/88	New Requests	Cancel	Outstanding
Occupational Health Technicians	334	1,230	96	305

Number of Environment Assessments Completed = 1,187

Summary of Analyses	
Clinical Samples	40,441
Material Samples	3,144
Air Samples	30,174
Physical Agents	9,299
Total Number of Analyses	**83,028**
Samples Sent to Private Laboratories for Proficiency Testing	682

Analyses	Physical Agents	Air Samples	Material Samples	Clinical Samples	Total
Acrylonitrile	0	24	1	0	25
Arsenic	0	348	50	0	398
Asbestos	214	0	834	0	1,048
Benzene	0	141	19	571	731
Coke Oven Emissions	0	83	0	0	83
Cristobalite	0	47	0	0	47
Isocyanates	0	1,155	39	0	1,194
Lead	0	1,057	117	23,335	24,509
Mercury	0	9	8	3,196	3,213
Silica (Quartz)	0	889	172	0	1,061
Vinyl Chloride	0	43	1	0	44
Other	9,085	24,479	1,873	13,339	50,675
Total	**9,299**	**30,174**	**3,114**	**40,441**	**83,028**

Materials: Submissions by Source	
Industrial Health and Safety Branch	228
Health and Safety Support Services Branch	587
Mining Health and Safety Branch	69
Construction Health and Safety Branch	47
Total	**931**

Radiation Protection Service

The Radiation Protection Service is the primary source of expertise on all matters concerning exposure to radiation. It evaluates and inspects control measures in workplaces and provides assistance to other ministries and agencies on exposure of the public to radiation in the environment. The service also provides radioanalytical and technical support to other provincial agencies involved in radiation surveillance programs and health studies related to the exposure of the public to radioactive isotopes.

In 1988/89, the service:

Enforced the Regulation respecting X-ray Safety through the registration of new employers with X-ray sources (49), X-ray source plan reviews (79), and X-ray safety inspections (266)

Carried out a review and revision of the Regulation respecting X-ray Safety (Ontario Regulation 632/86) working through an inter-branch committee

Initiated decentralization of the operations of the ionizing radiation consultants responsible for X-ray safety

Co-operated with other provincial and federal agencies in ionizing radiation inspections in the workplace

Participated in a program with other agencies to calibrate radiation measuring instruments

Delivered training sessions on radiation safety, inspections and dosimetry

Inspected 124 workplaces throughout the province to investigate compliance with non-ionizing radiation guidelines and 123 workplaces to investigate compliance with environmental radiation guidelines. Measured exposure of workers to non-ionizing radiation from more than 180 industrial NIR-emitting devices (mostly RF sealers, induction heaters, lasers and microwave ovens)

Provided information and advice in response to 705 specific enquiries about non-ionizing radiation issues. Over half the enquiries (413) related to video display terminals. The balance was divided between optical, microwave, radiofrequency and low-frequency subjects

Provided measurements, advice and consultation to the public and federal, provincial and municipal agencies on the assessment of the risk from radon in houses and the workplace. Growing public concern about this issue resulted in numerous inquiries. At the request of the Ministry of Health, radon daughter measurements were carried out in 80 houses. This represents a significant increase over the previous year

Participated as the lead group of the Provincial Ingestion Monitoring Organization in nuclear contingency planning and the Fermi II nuclear reactor emergency exercise. Reviewed documents for government agencies and the International Atomic Energy Agency and continued surveillance of radiation levels around nuclear power stations

Participated with the Atomic Energy Control Board in joint compliance inspections of radioactive waste storage facilities and uranium mine tailings areas

Measured radiation levels and assessed

radiological risks associated with former uranium mine properties across Ontario

Continued development of new methods of measurement, evaluation of new instruments, equipment calibration and modification of special instruments

Members of staff participated actively on various national and international working groups and committees. Participated throughout the year in the quality assurance programs of the International Atomic Energy Agency, the U.S. Environmental Protection Agency and Health and Welfare Canada.

Sources of Radiation Protection Service Visits

Carry–over from 1987/88	8
Industrial Health and Safety Branch	20
Health and Safety Support Services Branch	232
Other	7
Total	**267**

Summary of Measurements by Sample

Type of Sample	Number of Measurements
Water	9,233
Air Filter	5,515
Air Filter Extracts	186
Urine	1,077
Swipes	388
Milk	751
Soil and Sediment	575
Precipitation	236
Tritium Cells	152
Radon Daughter Counting Equipment	92
Foodstuff	24
Radioiodine Cartridges	25
Fish	30
Blood, Hair, Tissue	40
Miscellaneous	179
Total	**18,503**

Summary of Radioanalytical Measurements

Type of Measurement	Number of Measurements
Lead	148
Radium	2,059
Strontium	408
Thorium	308
Tritium	1,754
Uranium	1,569
Gross Alpha	1,638
Gross Beta	6,445
Gamma	3,774
Other Radionuclides	400
Total	**18,503**

Construction Health and Safety Branch

W.S. Melinyshyn, P.Eng
Director

To promote joint efforts by workplace parties towards a healthful and safe occupational environment for Ontario's construction workers. The Construction Health and Safety Branch provides assistance to employers, contractors, supervisors and workers through inspections, consultations, investigations and enforcement.

In 1988/89, the branch:

Made 45,890 inspections

Issued 48,165 orders

Consolidated revisions to the Regulations for Construction Projects (the Regulations) for amendment

Undertook administration of new Regulations respecting Window Cleaning, Roll-Over Protection Systems (ROPS), and Workplace Hazardous Materials Information Systems (WHMIS), which were promulgated during the year

Initiated a Small Contractor/Public Awareness Program to inform construction contractors, home owners and the general public concerning their major responsibilities under the *Occupational Health and Safety Act* (the Act) and regulations

Through consultation, presentations and the issuance of Hazard Alert publications, informed the industry of potential hazards, and highlighted the technical aspects of the Act and the regulations

In close consultation with the Construction Health and Safety Association, the Provincial Building Trades Council, the Provincial Labour-Management Health and Safety Committee, and construction industry management, assisted in the development of WHMIS training modules for the construction industry work force

Continued implementation of its employment equity hiring strategies in recruiting inspectors, consistent with government strategies for renewal

Developed training modules related to enforcement of the Act and regulations, and implemented an extensive training program for new inspector recruits and existing operational staff

Inspection and Fatality Data

	1988/89	1987/88
Workers in the Work Force	309,800 *	305,000
Projects/ Establishments	26,156	22,269
Accidents Investigated	1,355	1,377
Fatalities Investigated	41	39
Refusals to Work Investigated	1	1
Complaints Investigated	2,142	1,866
Inspections	45,890	39,790
Orders Issued	48,165	32,022
Stop-Work Orders Issued	2,321	1,507
Consultations	1,834**	2,079
Case Prosecutions		
(Part III Citations)	346	229***
(Part I Citations)	400	77
Convictions		
(Part III Citations)	274	192***
Fines	$811,045	417,105

Notes:

* *Total Labour Force*

** *Includes Engineering Consultations*

*** *Part III Citations and Convictions were incorrectly reported in the 1987/88 Annual Report.*

Industrial Health and Safety Branch

V. Pakalnis, P.Eng*
Director

The Industrial Health and Safety Branch serves all sectors covered under the *Occupational Health and Safety Act* (the Act), excluding construction and mining. This includes some 3.5 million workers in more than 150,000 workplaces. These workplaces are divided into 12 sectors: aerospace; automotive; education; electrical utilities; forestry; health care; manufacturing; petro-chemical; police, fire and security; public institutions; service, retail and communications; and steel.

Its mission is to reduce the risk of illness and injury in these workplaces. This is achieved through the administration and enforcement of the Act and Regulations for Industrial Establishments plus the various regulations related to toxic substances.

In addition to workplace inspections, the branch conducts investigations into deaths, critical injuries, serious accidents, work refusals and complaints. The engineering staff of the branch provides technical support and reviews drawings of all new industrial establishments to ensure compliance with the Act and regulations.

The branch has field staff located in 17 regional offices across the province and is served by approximately 154 occupational health and safety officers and 13 professional engineers. Headquarters is located in Toronto, where administrative policy and administrative services are provided.

In 1988/89, the branch's activities included:

Conducting 29,119 inspections and issuing 37,961 orders, 1,657 of which were stop-work orders

Investigating 885 accidents, 50 of which involved fatalities and another 335 were of a critical nature

Investigating 610 work refusals

Investigating 1,523 complaints and handling 131,316 telephone enquiries

Engineering reviews of 3,108 sets of drawings for new establishments to ensure compliance with the Act

Engineering reviews of the structural safety of recreational arenas, finding 299 to be structurally adequate and actively in use; five arenas were ordered closed due to structural inadequacy. Repairs were required to correct structural deficiencies in 26 arenas

Participating in a special 'hot-line' centre, responding to thousands of telephone enquiries from the private and public sectors concerning the implementation of WHMIS programs in Ontario workplaces. Branch personnel also conducted presentations, distributed informative materials and consulted with workplace parties to provide maximum assistance to facilitate compliance with the legislation

Recruiting 13 new occupational health and safety officers and providing extensive training to provide new officers with the full range of knowledge and skills required to administer their duties

* *V. Pakalnis was appointed director on April 18, 1988.*

Developing and presenting training programs to incumbent officers to enhance their existing knowledge and training

Employing 15 summer students to register 3,351 new workplaces and to inform the employers of the program and services provided by the branch and its support groups as well as to advise management and worker representatives of their responsibilities under the Act

Developing a communications strategy to improve internal and external communications. This included producing 'Inside the Act', a slide presentation designed to be used by staff for presentations on the legislation. The branch also participated in various trades shows, conferences and exhibits to answer questions from the public and to hand out literature on occupational health and safety

Researching and responding to freedom-of-information requests

Participating on committees to review and develop regulations and amendments to the Act and Regulations for Industrial Establishments

Continuing discussions with interested parties regarding the development of regulations to address unique hazards within health care facilities

Forming a tripartite committee, with representatives from the logging industry and the Ministry of Skills Development, to establish training standards and develop a modular training program and accreditation process to recognize the competence of skilled workers in logging and skidding operations

Working directly with labour and management representatives of the Ontario film industry to identify and address issues such as safe working procedures for special effects

Continuing discussions with the labour and management representatives in fire services to address previous concerns and issues and formally establish a bipartite committee under section 11 of the Act

Consulting with representatives from the Industrial Accident Prevention Association and the Ministry of Industry, Trade and Technology to address issues and concerns that members of the small business community have with various aspects of the legislation

Addressing concerns regarding health hazards encountered in sewage treatment plants and forming a tripartite working group to deal with these issues

Reviewing the branch's field operation activities and providing recommendations for realignment of resources, including a review of inspection criteria, with emphasis on sector-specific strategies and enhancing pro-active activities on targetted workplaces

Inspection and Fatality Data

	1988/89	1987/88
Workers in the Work Force*	3,500,000	3,500,000
Projects/Establishments	150,000	150,00
Accidents Investigated	835	944
Fatalities	50	36
Refusals to Work Investigated	610	409
Complaints Investigated	1,523	1,467
Telephone Enquiries	131,316	85,903
Consultations	1,246	924
Appearances at Inquest or Trial	659	666
Other Investigations	3,440	3,040
Inspections	29,119	24,611
Orders Issued	37,961	28,494
Stop-Work Orders Issued	1,657	1,135
Pre-development Review (Plans Review)	3,108	3,362
Case Prosecutions	149	176
Convictions	102	110
Fines	$460,550	$397,982
Revenue	$1,815,305	$1,708,340

* *Updated work force figures — Source: Statistics Canada Labour Force Report and Employment, Earnings and Hours Report (December 1988).*

Mining Health and Safety Branch

P.V. Kivisto, P.Eng*
Director

The objective of the Mining Health and Safety Branch is to reduce the risk of injury and illness to workers in Ontario mines and mining plants. The branch encourages employers and workers in the mining industry to achieve this goal by co-operative identification and control of health and safety hazards in workplaces.

The branch administers the *Occupational Health and Safety Act*, R.S.O. 1980, C.321, Regulation 694 as amended by O.Reg. 258/87 and the Regulations for Mines and Mining Plants, the designated substances regulations, and Regulation 633/86 for oil, gas and related industries offshore.

The branch's activities apply to 203 underground mines, 59 open-pit mines, 6,669 sand and gravel pits and quarries, 47 metallurgical and ore-processing plants and 59 clay, shale and peat workings.

In 1988/89, the branch's activities included:

Carrying out 4,411 site visits resulting in 4,378 orders, of which 96 were stop-work orders

Investigating all fatalities and publishing detailed reports of the investigations. During 1988/89, 19 fatalities were investigated, of which 13 were under the jurisdiction of the mining regulations

Investigating 17 work refusals. The branch staff also investigated

* *P.V. Kivisto was appointed director on June 23, 1988*

complaints concerning unsafe or unhealthy conditions

Researching, analysing and preparing background information for the Mining Legislative Review Committee, covering the following areas: electricity, mine shaft hoisting, diesel exhaust measurements, arsenic, radon in non-uranium mines, loading pockets, misholes, worker inspectors, hours of work, shaft inspections, and chutes

Conducting 993 tests of ropes for wire ductility and rope strength at the Wire Rope Testing Laboratory

Conducting working environment surveys to determine worker exposure to dust, gases, arsenopyrite and fumes

Conducting pre-development reviews of new mining process technology, the use of new methods of construction and equipment installation, major alterations of mining techniques and technology, and major additions and alterations for compliance with the Act and regulations

Providing mine rescue training. During 1988/89, 898 men participated in the mine rescue training program and 35 seven-man teams competed in eight district mine rescue competitions. Mine rescue officers conducted 620 days of training. This total does not include extra district and provincial competition training or emergency assistance. There were 89 underground mine fires, nine of which required the services of mine rescue teams

Responding to and implementing recommendations made by the Standing Committee on Resources Development. The branch is currently working with labour and management from the mining sector to develop a training/ communications package and an audit system on the Internal Responsibility System. A preliminary draft has already been circulated to the industry, with favorable results. Completion of the final product is anticipated in the fall of 1989

Organizing co-operative research programs. The Ministry of Labour, through the Mining Health and Safety Branch, has entered into a number of co-operative research programs with the Federal Department of Energy, Mines and Resources (Canada Centre for Mineral and Energy Technology) and the United States Bureau of Mines. These initiatives include programs on: a) diesel emissions in underground mines; b) wire rope and hoisting technology; c) ground control; d) ceramic diesel exhaust filters; e) studies on the effects of extended hours of work

Publishing and widely distributing quarterly reports covering industry performance in such areas as incidents, accidents, fatalities, prosecution, work refusals, stop-work orders and hazard notices

Publishing special reports for distribution on subjects such as design and operation of loading pockets

Conducting 48 mine audits to evaluate the industry's ground control program and identify needed improvements

Establishing a computerized data base on falls of ground and rockbursts to identify trends in and causes of ground movement

Construction on the new headquarters of the Mining Health and Safety Branch, in Sudbury, began in September of 1988, with completion anticipated for the fall of 1990. In the meantime, the director's office has already relocated to Sudbury and has taken up temporary residence at 144 Pine Street

Inspection and Fatality Data

	1988/89	1987/88
Mine Rescue Stations	8	8
Mine Rescue Substations	47	42
Miners Under Training in Mine Rescue	786	781
Wire Rope Tests	993	1,029
Revenue from Wire Rope Tests	$268,800	$230,578
Non-fatal Accidents Investigated	3,099	3,493
Fatalities Investigated	13	19
Refusals to Work Investigated	17	17
Unusual Occurrences Reported	271	350
Hours Spent on Complaints Investigation	2,215	2,040
Pre-development Review	8,659	10,672
Inspection Reports	4,411	4,976
Orders Issued	4,378	5,195
Stop-work Orders	96	132
Prosecution Cases	15	12
Convictions	11	8
Fines	$82,122	$93,000

Industry Statistics

	1988/89		1987/88	
	Operations	Workers	Operations	Workers
Underground Mines	203	26,428	192	26,712
Open-pit Mines	59	3,328	63	2,440
Quarries	471	3,404	451	3,092
Clay and Shale Pits	28	401	29	477
Sand and Gravel Pits	6,173	7,698	6,068	7,184
Peat Workings	22	79	20	61
Brine Wells	1	–	1	–
Metallurgical Plants	33	6,847	31	6,186
Metallurgical Labs	14	614	15	554
Aggregate Plants	25	425	23	394
Diamond Drilling Operations	68	452	57	237
Offshore Rigs	8	36	8	35
Total	7,105	49,532	6,958	47,372

Labour Policy and Programs

Peter Sadlier-Brown*
Assistant Deputy Minister

Arthur Gladstone,**
Acting Executive Director, Labour Programs

The Assistant Deputy Minister of Labour Policy and Programs is responsible for the ministry's policy development activities and new legislative initiatives, and for monitoring existing programs and policies to determine their effectiveness. This monitoring includes overseeing the ministry's Policy Branch, which has a mandate to initiate, develop and co-ordinate policy activities as well as to co-ordinate and prepare ministerial correspondence and liaise with other ministries.

The assistant deputy minister is also responsible for the activities of the Employment Standards Branch, the Employment Adjustment Branch, the Handicapped Employment Program, the Office of the Employer Adviser and the Office of the Worker Adviser. Since November 1988, these five areas have reported to the Acting Executive Director, Labour Programs.

* *Peter Sadlier-Brown moved to the Ministry of Intergovernmental Affairs November 7, 1989.*

** *Arthur Gladstone's appointment as acting executive director, Labour Programs, was effective November 16, 1988.*

Employment Standards Branch

P. Dutton
Director

The objective of the Employment Standards Branch is to ensure that people in the Ontario work force are protected with respect to minimum wage and working conditions through the active promotion of compliance and the enforcement of the following legislation:

The *Employment Standards Act*

The *Industrial Standards Act*

The *Employment Agencies Act*

The Fair Wage Schedules on contracts let by the provincial government.

Approximately 69 per cent of the branch's staff is based in regional offices located in Hamilton, Kitchener, London, Ottawa, Sudbury and Metropolitan Toronto, as well as in various sub-offices.

1988/89 Activities:

Employment Standards Act — General

The branch continues to face a heavy case load with most of its day-to-day activities related to servicing of complaints under the *Employment Standards Act*.

In 1989, the following new developments concerning the legislation occurred:

- The second phase report of the Donner Task Force on Hours of

Work and Overtime was tabled in April 1988 in the legislature

- The minimum wage was revised and the general rate was increased in October 1988 to $4.75
- Under an amendment to the Act (Bill 114), retail employees were given the right to refuse Sunday work that they consider to be unreasonable and Boxing Day was also established as a public holiday
- Fair wage rates for all schedules were updated in June 1988, affecting 91 schedules

The branch saw, in 1988/89, workload impacts associated with key legislative changes that occurred in 1987/88. For example, the branch experienced a significant increase in severance pay files, resulting from the June 1987 amendments to the termination and severance pay standards. These are among the most complex and time consuming cases experienced by the branch. Overall, 19,492 new claims were registered and 18,312 claims resolved. Approximately 56 per cent of all field claims were handled within 60 days, and either resolved at that level or sent for further enforcement or appeal activity. As a result of the investigation activity of the branch, $18,865,467 was collected on behalf of 24,572 employees

As a result of claim work load pressures, the branch completed a limited number of preventive routine investigations. However, officers have extended the scope of investigations where, in the course of investigating an individual claim, they become aware of potential violations involving other workers. In 1988/89, about 5,000 employees benefited from these extended investigations

Received over one million telephone, written and personal inquiries. One third of these were received by a taped message system. The remainder was handled by central telephone information services and the regional offices. There were 28,599 personal interviews with walk-in claimants

Distributed some 250,000 brochures (in French and English) to promote awareness of the *Employment Standards Act*. These included a 'Guide to the Employment Standards Act;' a brochure on employment standards for household domestics; a technical bulletin dealing with the 1987 notice and severance pay amendments to the Act, as well as a 'Guide to the Employment Agencies Act'.

Conducted 225 public education seminars. Participants included employer representatives, employees and students entering the work force

Special initiatives were provided for Chinese restaurant workers (in co-operation with the Chinese Restaurant Association) to ensure knowledge of, and information on, rights and responsibilities under the Act. These included the preparation of a brochure, a seminar in Toronto, a videotape of the seminar, radio and TV programs and a counselling service (in co-operation with University Settlement House) specifically for these workers

Investigative Activity

	Claim Files		Preventive Inspections		Total	
	1988/89	1987/88	1988/89	1987/88	1988/89	1987/88
Workload:						
Pending from Prior Fiscal Year	2,449.0	2,677.0	-	-	2,449.0	2,677.0
Registered/Assigned	19,492.0	18,377.0	85.0	190.0	19,577.0	18,567.0
Total	21,941.0	21,054.0	85.0	190.0	22,026.0	21,244.0
Resolved/Conducted	18,312.0	18,301.0	85.0	190.0	18,397.0	18,491.0
Resolutions as % of Total Workload :	83.5	86.9	-	-	-	-
Results:						
Number of Collections	11,411.0	11,327.0	16.0	44.0	11,427.0	11,371.0
Employees Benefited	24,572.0	21,682.0	176.0	720.0	24,748.0	22,402.0
Amount Collected ($000s)	18,865.4	10,276.5	21.7	267.1	18,887.1	10,543.6
Outstanding Files End of Fiscal Year	3,213.0	2,449.0	-	-	3,213.0	2,449.0

General Inquiry and Information Activity

	1988/89	1987/88
Telephone Inquiries (Non-claim) Handled:		
by staff	633,704	660,864
by electronic message	373,046	358,633
Letter Inquiries (Non-claim) Responded to	2,748	2,533
Personal Interviews Held	28,559	32,663
Total	1,038,057	1,054,693
Public Appearances and Employer Education Seminars Held	225	235

Collections by Standard (claims and preventative inspections)

	Amount Collected ($000s)	($000s)	No. of Collections by Individual Standard		Employees Benefited Financially by Individual Standard	
	1988/89	1987/88*	1988/89	1987/88*	1988/89	1987/88*
Minimum Wage	52.6	82.3	182	261	394	443
Overtime	1,762.9	1,508.7	1,396	1,344	4,037	4,638
Public Holidays	320.6	267.7	573	651	2,077	1,943
Vacation Pay	4,018.1	2,623.7	8,623	8,219	25,738	14,933
Equal Pay for Equal Work	60.1	361.5	25	24	88	371
Benefits	1.8	0.4	10	3	10	3
Pregnancy Leave	23.5	36.9	13	18	13	18
Lie Detector	–	6.6	–	1	–	1
Termination Pay	3,166.5	1,966.9	2,567	2,293	5,000	2,865
Benefits During Notice Period	5.7	2.9	12	5	12	5
Severance Pay	6,460.4	1,165.6	138	51	2,143	290
Collection of Unpaid Wages	3,012.4	2,509.5	5,755	5,696	8,111	7,002
Fair Wage on Gov't Contracts	2.5	10.5	14	8	25	37
Industrial Standards	0.0	0.2	1	1	1	3
Total by Standards	18,887.2	10,543.4	19,309	18,575	47,649	32,552

* *Revised.*

Note: Number of collections and employees benefited financially by individual standard will always be more than actual branch total due to assessments under more than one standard.

Employment Standards Act Specific

Appeals and Hearings

The *Employment Standards Act* provides for a review of an order issued by an employment standards officer against an employer. The appeal is heard by a referee selected from a panel of referees appointed by the minister. In the 1988/89 fiscal year, 267 new applications for appeal were received.

The director may also appoint a referee to hold a hearing in situations where an employment standards officer has so recommended based on the opinion that an act has been committed or an agreement or arrangement has been made to defeat the purpose of the *Employment Standards Act*. In 1988/89, four cases were referred to a referee.

Should an employer fail to pay moneys owed under an Order to Pay issued by an employment standards officer, the director may issue a certificate to be filed in a court of competent jurisdiction. The certificate is then enforceable as a judgement or order of court, pursuant to section 54 of the Act. In the 1988/89 fiscal year, 259 such certificates were filed.

Any person who contravenes any provision of the *Employment Standards Act* may be prosecuted in provincial offences court; upon conviction, in addition to any

penalty imposed by the court, such a person may be ordered to pay to the director in trust the wages owed to the employees. Upon payment, the moneys will be distributed to the employees. In the 1988/89 fiscal year, the branch initiated prosecution action in 126 instances of non-compliance.

Permits and Approvals

The *Employment Standards Act* empowers the director to issue a permit authorizing hours of work in excess of eight hours in a day and 48 hours in a week. The director may also approve a regular workday of more than eight hours. In 1988/89, there was a notable increase in permit requests, largely due to general levels of economic activity as well as increased awareness of the Act's requirements. Before granting discretionary permits, the branch reviews special excess-hours permit requests with the company and, if a bargaining agent exists, the union. The posting of a director's notice explaining rights and obligations under the hours of work provisions was ordered in several establishments as a means of bringing about compliance.

Industrial Standards Act

The *Industrial Standards Act* provides a means for employers and employees jointly to establish a schedule of working conditions that reflects the prevailing labour standards in their industry. Once enacted, the provisions of a schedule become mandatory on all who perform work as defined in the industry definition.

Four schedules covering approximately 400 employers and 8,300 employees are administered: Ladies' Dress and Sportswear Industry; Ladies' Cloak and Suit Industry; Men's and Boys' Clothing Industry; and the Fur Industry. The schedules are enforced by advisory committees comprising management and labour representatives who are knowledgeable and active in the specific industry sector. The Men's and Boys' Clothing schedule was amended in 1988/89.

Employment Agencies Act

The *Employment Agencies Act* is intended to provide protection to job applicants from unjust practices when they use 'permanent' employment agencies to assist them in finding work. Agencies are required to apply for and receive the appropriate licence before doing any placement activity. The four classes of licences specify occupational categories, and clients and/or applicants are required to pay a placement fee. An agency can hold only one class of licence.

Fair Wage on Government Contracts

The Fair Wage on Government Contracts program is designed to ensure that workers engaged on contracts awarded by government ministries for construction, building-cleaning and security projects and on municipal road-building projects have a means to obtain the minimum standard of wages, hours of work and overtime pay provisions that prevail for their work classification in the area where it is performed.

Contractors, when bidding on government contracts, also receive a measure of protection from unfair competition based on reduced labour costs.

Wage rates are reviewed each year and adjusted, when required, on the basis of industry settlements, consumer price index and consultation with industry.

The fair wage rates for all schedules were increased on June 15, 1988. The job classification for a cleaner in the

building-cleaning industry was amended to remove an anomaly that may have allowed employers to maintain an inappropriate wage differential between male and female cleaners.

The minister also announced that a comprehensive review of the program would be undertaken by the Ministry of Labour within two years.

Agricultural Industry Advisory Committee

This committee advises the minister on matters relating to the application of employment standards legislation to agricultural workers and on the development and modification of employment standards appropriate to the agricultural industry. The committee is composed of representatives of farm owners and farm workers, who meet as needed.

Appeals (Section 50)

	1988/89	1987/8
Pending from Prior Fiscal Year	148	120
Intake	267	193
Results:		
Order Confirmed	115	49
Employer Upheld	17	16
Other Varied	15	19
Settled Before Hearing	98	81
Total	245	165
Outstanding End of Fiscal Year	170	148

Court Action

	1988/89	1987/88
Prosecutions Finalized	32	9
Section 54 Certificates Filed	259	228

Hearings (Section 51)

	1988/89	1987/88
Pending from Prior Fiscal Year	13	11
Initiated	4	10
Results:		
Employer Found in Violation	4	2
Employer Found in Compliance	–	1
Settled Outside of Hearing	–	5
Total	4	8
Outstanding End of Fiscal Year	13	13

Permits/Approvals

	1988/89	1987/88
Total Excess Hours Permits	722	570
100 Hour	401	373
Special	321	197
Homeworker Permits	78	93
Averaging Approvals	150	105
Section 18 Approvals	285	270

Employment Agency Licences

	Initial		Renewal		Total	
Class	**1988/89**	**1987/88**	**1988/89**	**1987/88**	**1988/89**	**1987/88**
A	**315**	237	**891**	802	**1,206**	1,039
B	**2**	2	**7**	7	**9**	9
C	**3**	1	**2**	1	**5**	2
D	**6**	10	**21**	11	**27**	21
Total	**326**	250	**921**	821	**1,247**	1,071
Revenue ($)					**245,950**	211,800

Fair Wage Schedules

	Number		Value ($)	
	1988/89	**1987/88**	**1988/89**	**1987/88**
Schedules Included in Contracts Let by Provincial Ministries				
Construction	**474**	588	**260,109,228**	334,187,188
Building Cleaning and Security	**161**	142	**5,942,349**	12,197,793
Total	**635**	730	**266,051,577**	346,384,981
Schedules Updated	**91**	0	**N/A**	N/A

Industrial Standards

	1988/89	1987/8
Number of Active Schedules	4	4
Number Updated	1	–
Number Covered by Schedules		
Employers	400	400
Employees	8,300	8,300

Employment Adjustment Branch

Harry N. Shardlow
Director

The role of the Employment Adjustment Branch is to provide consultative assistance and adjustment services in plant closure and mass layoff situations.

In 1988/89, the number of closures and reduced operations remained high, along with the number of employees affected by them.

The number of employee counselling programs, however, decreased because of the increase in 1) the private sector out-placement agencies used in closure situations, and 2) the funding of special groups to provide assistance to displaced workers in various sectors of the province.

In 1988/89, the branch's activities included:

Monitoring large-scale cutbacks and closures in Ontario.

Providing appropriate information and expertise to employers and employees and their representatives, government, community groups and other interested parties regarding the applicability of the *Employment Standards Act* and the legalities of sudden loss of employment

Mediating potential disputes between client groups so that official complaints under the Act are minimized

Providing statistical information to approximately 150 users in government and the private sector

Producing monthly reports on permanent and indefinite layoffs in Ontario

Participating in adjustment committees established by the federal government and the private sector

Establishing and monitoring adjustment programs to assist workers displaced in closures and downsizing

Conducted research on displaced workers who are non-participants of adjustment programs

Providing expertise on adjustment issues to governments, employers, unions and voluntary organizations and to professionals in the field who assist displaced workers

Statistics on Terminations

	1988/89	1987/88
Termination Cases (At least 50 Employees)		
Cases:		
Full Closures	58	61
Partial Closures	15	9
Reduced Operations	25	25
Total	**98**	95
Employees:		
Full Closures	6,915	10,573
Partial Closures	1,962	1,010
Reduced Operations	3,473	4,037
Total	**12,350**	15,620

Industrial Adjustment Committees

	1988/89	1987/88
Committees Established	64	55
Employees Terminated in Cases Where Committees Established	10,745	7,025
Financial Commitment	$76,130	$46,150

Employee Counselling Program

	1988/89	1987/88
Programs Established	22	35
Employees Participating	968	2,452

Handicapped Employment Program

Sandra Carpenter*
Manager

The Handicapped Employment Program (HEP) promotes employment equity for people with disabilities.

It provides specific services as well as general information to employers, job-seekers with disabilities, communities and associations.

In 1988/89, the program accomplished the following:

Services to Employers

Participated in the founding of the Toronto Employment Equity Practitioners Association (TEEPA), which sponsored a seminar on employment equity for people with disabilities

Presented four Attitude Awareness seminars in English and French for the Department of Justice, Ottawa

Conducted Physical Demands Analysis (PDA) and Attitude Awareness seminars for 23 ministries of the provincial government

Initiated a provincial conference, 'Linking for Employment', sponsored by HEP, CEIC and the Personnel Association of Ontario, attended by 250 employment/placement counsellors for persons with disabilities from across the province. A provincial steering committee of employment/placement counsellors was struck at the conference to develop both local networks and a provincial organization that will provide professional training and networking as well as a forum for issues related to the hiring of persons with disabilities. To date, three local networks of employment placement counsellors have been formed, and a second conference is planned for the fall of 1989

Provided employment equity consulting services to 77 employer clients as well as ongoing information services to 398 employer contacts

Delivered 66 training seminars to employers from a mix of companies (about 2,646 people attended these seminars)

Provided 42 employers with 51 Summer Experience '88 students to assist with their employment equity programs

Sponsored, facilitated or attended 53 seminars, conferences or other events

Services to Job-Seekers

Reprinted *PROFiLE*, a role model magazine, and *Taking Aim: Job Search Strategies for People with Disabilities* available in English/French, in print or on audio cassette. Total distribution to key target audiences across Ontario now exceeds 28,300 for *PROFiLE* and 14,800 for *Taking Aim*

Developed a joint pilot proposal, 'Role Models for Employment', with the Centre for Independent Living, Toronto (CILT) and the University of Toronto

Advised, in person, 245 job-seekers with disabilities and gave specific résumé advice to 88

Services to Other Sectors

In recognition of the essential linkages needed to increase job opportunities for people with disabilities, HEP:

Continued to network and develop initiatives with:

- 31 vocational/rehabilitation organizations

* *Sandra Carpenter was appointed manager on January 9, 1989.*

- 26 government agencies
- 26 educational groups
- 12 labour organizations
- 18 consumer or self-help groups

Participated in 'Vision 2000' as members of one of six major study groups convened to review the mandate of Ontario's systems of Colleges of Applied Arts and Technology

Gave a grant to the Ontario Federation of Labour (OFL) for research/writing of an employment equity guide with a trade union focus

Sponsored, facilitated or attended 54 conferences, seminars or other events

Services to Communities

In providing consultation and support to various community initiatives, HEP:

Continued links and developments in 24 communities province wide, including participation in community councils and planning committees

Provided 25 organizations in communities across Ontario with Summer Experience '88 students to work on a wide variety of projects designed to increase employment opportunities for people with disabilities

Sponsored, facilitated or attended 24 seminars, conferences or other events

Provided staffed information displays at 12 events

Information Services

HEP provided the following information services across Ontario:

Published, in the French language, an employer series of seven companion booklets and brochures about specific disabilities and how to locate, hire, accommodate and make the workplace accessible to, people with disabilities

Distributed over 14,000 brochures and resource materials to representatives of all sectors, in addition to 4,800 copies of *Taking Aim: Job Search Strategies for People with Disabilities* and 9,300 copies of *PROFILE*

Gave out thousands of promotional buttons, bookmarks, brochures, posters, carrier bags and other promotional materials at conferences, workshops, seminars and trade shows

Responded to over 5,200 telephone enquiries related to resources, referral and problem-solving

Policy Branch

Nicholas Ignatieff
Acting Director

The Policy Branch provides the minister, senior ministry officials and the government with information, analysis and advice to assist and enable the ministry and government to develop policy positions, legislation and programs in the following areas:

Terms and conditions of employment

Industrial relations, rights and other legislative programs

Occupational health and safety and workers' compensation

In 1988/89, the branch:

Developed Bill 114, An Act to Protect Workers Regarding Sunday Work

Developed Bill 162, An Act to amend the Workers' Compensation Act

Developed Bill 194, An Act to Restrict Smoking in the Workplace

Assisted in the development of Bill 102 (WHMIS) and Bill 208 on general reform of the *Occupational Health and Safety Act*

Prepared background materials and co-ordinated the establishment of an advisory group on a Green Paper on further workers' compensation reform

Conducted a review of the minimum wage

Participated in various interministerial committees on pension reform

Represented the ministry in various Canadian Association of Administrators or Labour Legislation (CAALL) committees, and participated in numerous public meetings to explain ministry policies and legislation

Provided staff support to the implementation committee reviewing the Task Force Report on Health and Safety in Agriculture

Co-authored, with the Ministry of Skills Development, a paper on labour adjustment policy, which was presented to the Advisory Council on Adjustment, chaired by Jean de Grandpre

Participated in various interministerial committees dealing with such labour market issues as immigration, demographics and labour adjustment

Represented the ministry on the review panel for applications to the Premier's Council Technology Fund

Conducted consultations with external organizations on the Phase II recommendations of the Task Force on Hours of Work and Overtime (the Donner Task Force)

Consulted with the Ministry of Community and Social Services on a new wage policy for persons with disabilities

Participated in federal-provincial discussions regarding various labour issues

In conjunction with the Communications Branch, the Ontario Women's Directorate and the Ministry of Citizenship, consulted with community representatives and began a project to provide information about workplace rights and responsibilities in plain English and in a number of third languages

Represented the ministry on interministerial committees concerning sexual assault, provision of interpreter services

Monitored legal cases under the *Charter of Rights and Freedoms* to ensure conformity of ministry legislation

Consulted with various labour and management groups concerning the *Employment Standards Act*, the *Labour Relations Act*, the *Crown Employees Collective Bargaining Act* and the *Hospital Labour Disputes Arbitration Act*

Provided advice to the minister with respect to the implementation of the *Freedom of Information Act*

Participated in ministerial committee on Freedom of Information

Advised the minister concerning implementation of pay equity.

Office of the Worker Adviser

Odoardo Di Santo
Director

The Office of the Worker Adviser (OWA) serves Ontario's injured workers by assisting with all aspects of the workers' compensation process. Under section 86q of the *Workers' Compensation Act*, the office has a broad mandate, which includes five key elements:

- To advise injured workers of their rights under the *Workers' Compensation Act*, so that they will be able to represent themselves within the workers' compensation system
- To represent injured workers at all levels of the Workers' Compensation Board, at the Appeals Tribunal, and beyond the tribunal where applicable
- To work with labour and injured worker groups, MPPs and other organizations representing injured workers as an information resource and to support them in their own representation work
- To identify operational problems in the workers' compensation system that may require changes to policies or procedures under existing legislation
- To advise the Minister of Labour regarding workers' compensation legislative initiatives

OWA has four advisory units, comprising 12 regional offices across Ontario, to provide service to injured workers in their respective geographic areas:

- Toronto Region Advisory Unit — offices in downtown Toronto and Scarborough, as well as at the Downsview Rehabilitation Centre
- West Toronto and Niagara Region Advisory Unit — offices in Weston and Hamilton
- Central Region Advisory Unit — offices in Kitchener, London, Ottawa and Windsor
- Northern Region Advisory Unit — offices in Sault Ste. Marie, Sudbury, Timmins and Thunder Bay

There is also a Special Services Unit, which conducts and co-ordinates the ongoing legislative interpretation of the *Workers' Compensation Act*, carries out medical and legal research on specific complex issues and is responsible for the internal and external workers' compensation training.

1988/89 Activities

Client demand experienced strong growth during 1988/89, and the total case load figure for this period was 20,803, a 28 per cent increase over last year's figure of 15,073. An integral part of this dramatic rise in the total case load was the increase in new services to injured workers. During this period OWA staff response to new requests for service doubled over the previous year. This increased response can be attributed in part to the successful implementation of a new early intervention policy, which offers short-term assistance to injured workers.

Other steps taken to deal with strong client demand included:

- Development of case priorization criteria, which will significantly reduce waiting time for injured workers who meet the criteria
- Completion of plans to establish a new office in Mississauga, which will reduce case load pressures at the Weston and Toronto offices

Training and Outreach

OWA continued to provide training to external workers' representatives, such as unions and MPPs, in order to encourage and support their assistance to injured workers. In this regard, the office:

- Delivered over 30 training and outreach sessions to external representatives
- Completed a province-wide training program for MPP constituency assistants
- Published and distributed 'A Caseworkers' Guide to Workers' Compensation', as well as self-help material in six languages

Policy Initiatives

From the outset, OWA has attempted not only to advise and represent workers but to analyse its case experiences with a view to improving the workers' compensation system as a whole. In this regard, the office took the following steps:

- Continued to seek resolution to as many recurring problems as possible on a systemic basis in order to avoid the need for costly appeals. To this end, OWA worked with the WCB, WCAT and the Office of the Employer Adviser. As well, ongoing consultation was maintained with injured worker and labour organizations in order to reflect their concerns
- Actively participated in the development of a chronic pain policy by the WCB. At the WCB, OWA made submissions in response to the board's chronic pain policy. OWA also represented 10 workers in the board's s.86n review of tribunal decisions on chronic pain compensation for temporary disability. These reviews are ongoing
- Studied various aspects of WCAT procedures, with a view to simplifying them. These views were presented at a special meeting of the WCAT advisory group in April 1988. In January 1989, revised WCAT procedures were introduced

Other Initiatives

Additional OWA initiatives at the WCAT included leading cases on occupational stress, work-related heart attacks, the WCAT/Ombudsman and the earnings basis for compensation benefits. Additional OWA initiatives at the WCB included submissions on the board's vocational and medical rehabilitation strategies and asbestos disease adjudication policies.

Distribution of Cases over Type of Services Provided

	1988/89
Cases Pending Brought Forward	3,172
Representation Cases Brought Forward	3,863
Total Cases Brought Forward	7,035
New Cases	13,768
Total Cases	**20,803**
Advisory Cases Completed	10,092
Representation Cases Completed	4,126
Total Cases Completed	14,218
Representation Cases Still Open at End of Year	3,399
Cases Pending	3,186
Total Cases Handled	**20,803**

Office of the Employer Adviser

Jason E. Mandlowitz
Director

The Office of the Employer Adviser (OEA) provides Ontario employers with advisory services on matters relating to workers' compensation problems. Through training sessions, seminars and publications the OEA positions employers to become self-reliant in the management of workers' compensation claims. The OEA also advocates policy on behalf of employers by communicating their concerns and recommendations to the proper administrative authorities.

The OEA is a free service available to Ontario employers, whose budget is charged back directly to the Workers' Compensation Board (WCB).

In 1988/89 the OEA:

Responded to 5,600 inquiries from employers as new clients. Of these contacts, 1,600 resulted in subsequent OEA involvement

Participated as representative and/or adviser in 250 hearings at the WCB and the Workers' Compensation Appeals Tribunal (WCAT)

Advised over 850 employers in one-to-one meetings

Undertook 100 technical workshops for employers. Of these, 26 were organized by the OEA in 11 cities. Fifty-six workshops were convened for firms and 18 workshops for business associates in 26 cities

Undertook 111 speaking engagements in 20 cities

Serviced a total of 13,000 employers through the advisory services and training programs

Consolidated a publications list, which includes three brochures, six information bulletins, one employer manual and seven policy papers, all available in French

Conducted, through an external consultant, a study of OEA market penetration and service delivery

Undertook consultative meetings with 125 employers in seven cities on issues of WCB reform

Made submission to the WCB on:

- vocational rehabilitation
- employer health and safety demerits: section 91(4)
- hearing loss policy
- chronic pain disorder
- relationship between cancer and PCBs

Held party status at the WCB board of directors' review (section 86n) of WCAT Decision 72

Petitioned the WCB on policy matters such as:

- funeral expenses
- cost apportionment for industrial disease
- good samaritan policy
- incarcerated workers
- serious and wilful misconduct
- successor companies

Appeared before the Standing Committee on Resources Development during review of the 1986 WCB annual report

Held intervenor status on WCAT leading cases, including chronic pain policy and payment retroactivity

OEA Activity

	A Head Office	B Regional Services	Total
New Employer Contacts	2,154	3,400	5,594
New Files Opened	397	1,208	1,605
Hearings — Advised or Represented	76	175	251
Employer Meetings	248	605	853
Workshops	38	62	100
Workshops (Employer Attending)	694	1,948	2,642
External Events	52	59	111
External Events (Employer Attending)	2,670	2,053	4,723

A *Head Office in Toronto*

B *Regional Offices in Windsor, Kitchener, Hamilton, Sudbury and Ottawa*

Finance and Administration Division

F. Peters*
Executive Director

The Finance and Administration Division is responsible for providing administrative support for the operating divisions of the ministry in the areas of financial management and analysis, administrative operations, internal audit, library and information services, human resources, and information technology and systems. The division also provides specialized support services to the ministry in the administration of the *Freedom of Information and Personal Privacy Act*, 1987. In addition, the executive director of Finance and Administration provides administrative support to the Communications Branch and the Co-ordinator, French Language Services, which report to the deputy minister for program purposes.

* *F. Peters was appointed executive director on August 2, 1988.*

Financial Management and Analysis Branch

L. Petterson*
Director

The objective of the Financial Management and Analysis Branch is to ensure that there are highly effective and efficient financial management, planning, reporting evaluation and control systems in place within the Ministry of Labour to support the attainment of ministry objectives and the government's goal of effective control of expenditure, revenue collection and results.

The branch administers the ministry's accounts payable, accounts receivable, payroll and related employee benefits systems. It is also responsible for the financial planning and budgeting activities of the Ministry of Labour.

In 1988/89, the branch:

Developed and implemented a ministry base review policy and plan

Developed corporate financial systems to improve financial reporting capability to central agencies and enhance the ministry's controllership responsibilities

Developed an integrated resource management system to ensure that a comprehensive approach is taken to the ministry's program planning and resource allocation process

Undertook a comprehensive review and update of financial policies and procedures. Streamlined financial processing methods and conducted a major rewrite of operating procedures in order to achieve efficiencies and improve services to clients

* *L. Petterson was appointed director on December 6, 1988.*

1988/89 Summary of Ministry Expenditures, Revenue and Funds

	General Expenditure ($000s)	General Revenue ($000s)	Trust Funds ($000s)
Ministry Administration	24,073	52	–
Industrial Relations	10,238	31	–
Occupational Health and Safety	55,165	11,967	–
Employment Standards	9,727	378	–
Pay Equity Commission	5,141	–	–
Labour Relations Board	8,020	71	–
WCAP	7,017	7,837	–
Credits	–	–	526
Total	**119,381**	**20,336**	**526**

Human Resources Branch

N.E. Mayne
Director

The Human Resources Branch provides consultative and administrative functions to the Ministry of Labour in the areas of staffing; compensation; staff relations; human resources planning and development, including training; benefits; health and safety and the related processing and records maintenance functions.

The branch operates under the authority of the *Public Service Act* and regulations, the *Crown Employees Collective Bargaining Act* and the Collective Agreement, and is responsible for their administration.

In 1988/89, the branch's activities included:

Staffing

Administering 326 recruitment competitions throughout Ontario, with significant activity in areas such as the Information Technology and Systems Branch, the Occupational Health and Safety Division, the Pay Equity Commission, the Employment Standards Branch and the Labour Policy Division

Recruiting for Special Programs, which resulted in placements for 248 participants

Summer Experience '88 Students	132
Summer Students – Ministry Paid	24
Students Training in Industrial Relations	33
Ontario–Quebec Job Exchange Program	09
'Futures' Youth Employment	01
Post–Secondary Field Placements	05
Post–Secondary Co–operative Education	09
Secondary School Co–operative Students	16
Rehab/Assessment Work Stations	13
Ontario Public Service Interns	05
Extern Student	01
Total	**248**

Compensation

Updating, evaluating and classifying positions in the ministry and its boards, agencies and commissions, including the Pay Equity Commission and the Workers' Compensation Appeals Tribunal

Updating and monitoring organization charts on all branches where, for example, new positions are added or

titles and reporting relationships are changed, etc.

Supporting reorganizations in such areas as: the Ontario Labour Relations Board, the Construction Health and Safety Branch, the Industrial Relations Division and the Office of Collective Bargaining Information

Updating, revising and/or developing new class standards: workers' compensation adviser and occupational hygienists

Providing ongoing advice and consultation to managers, supervisors and senior officials on compensation matters

Preparing Physical Demands Analysis (PDA) forms for all positions in the ministry

Co-ordinating classification grievances

Staff Relations

Recruited a staff relations officer to prepare and present cases before a grievance settlement board

Teaching staff relations training courses (2-3 days) to all first line supervisory staff in the ministry. Approximately 200-250 supervisors to be enrolled

Co-ordinating the activities of the 22 employee relations committees around the province

Attending, as a member of the ministry, the Corporate Employee Relations Committee

Providing ongoing advice and consultation to all levels of management on staff relations issues, ensuring the maintenance of effective employer/employee relations

Continuing to administer the *Public Service Act*, the *Crown Employees Collective Bargaining Act* and the Collective Agreement as they relate to staff relations issues

Developing staff relations policies for the ministry based on case law, past practice, etc.

Handling all grievances through the various steps of the grievance procedure

Maintaining an effective liaison with ministry bargaining unit employees through their OPSEU elected representatives

Human Resources Planning and Development

The Human Resources Planning and Development Section is responsible for the integration of ministry human resources planning, staff development, employment equity and automation of the human resource functions in the ministry.

In 1988/89, the section was responsible for:

Preparation of the 1987/88 Strategies for Renewal Annual Report

Consolidation of the action plans for strategies for renewal and employment equity for the ministry and preparation of the report for 1988/89/90

Monitoring branches in the implementation of their action plans and providing advice and assistance where requested

Monitoring the Voluntary Exit Opportunities (VEO) program

Preparing background papers and draft policies for Human Resources. During 1988/89, policies were approved for:

- Harassment
- Acquired Immune Deficiency Syndrome

- Payment of professional membership fees
- Payment of relocation expenses

Preparation of a paper on alternative work arrangements, which is to be used as the basis for development of policies that encourage more flexible work conditions

Co-ordinating the development and installation of an automated system to track applicants for recruitment

Developing a number of programs and data bases for the personal computer to provide reporting capabilities for both the ministry and the central agencies

Providing employment equity counselling, training and information

Developing a new performance management system

Developing and revising new training programs in:

- Ethics and values
- Ministry orientation
- Performance problems and substance abuse
- Customer service

Initiating a new four-ministry management training program

Benefits

Continuing to advise employees on the benefits package, relocation expenses, the Public Service Superannuation Fund and *Ontario Pension Benefits Act*, 1987

Providing employees with advice and interpretation regarding the Voluntary Exit Opportunities (VEO) program

Monitoring extended absences and liaising with employee counselling services relating to the Short Term Sickness Plan, the Long Term Income Protection Plan, work stations and rehabilitative employment

Co-ordinating the ministry's annual retirement seminar and other special programs

Health and Safety

The health and safety co-ordinator is responsible for developing and delivering new health and safety programs and for maintaining those programs already in place for ministry employees. In 1988-89, the co-ordinator's activities included:

Development and implementation of a WHMIS compliance program for the ministry. This included the compiling of a Hazardous Materials Inventory, development of appropriate workplace labelling for hazardous materials, collection and distribution of MSDSs to over 90 ministry workplaces and development and delivery of training to approximately 1,600 ministry employees

Implementation of the Ontario Public Service (OPS) Smoking Policy for all ministry workplaces

Management of Workers' Compensation Board claims and appeals. There were 47 WCB claims in the 1988/89 fiscal year

Liaison with the 22 local joint health and safety committees (JHSC) in the ministry and with the Corporate JHSC. This included consultation with the committees in the development of the WHMIS training program for employees

Participation in orientation sessions for new employees

Promotion of increased health and safety awareness among supervisors and employees through distribution of information and employee training.

Information Technology and Systems Branch

Ron Brittain*
Director

To enable the effective and efficient delivery of Ministry of Labour programs in keeping with government legislation and policy through the provision of information technology and systems.

The branch provides the following services: information technology and systems planning; systems prototyping, development and maintenance; information technology services; and facilities operations and support services.

In 1988/89, the branch's activities included:

Continued improvements and expansion of a ministry correspondence management system

Completion of a telecommunications planning study

Completion of a user requirements document for new integrated financial information system

Implementation of telecommunications links with 13 remote ministry field offices including: Sudbury; 101 and 81 Resources Rd; 880 Bay St; 123 Edward St; 180 Dundas Street W.; 10 King Street E.

Acquisition and implementation of office systems (including hardware, software and training) for the Ministry Library and Information Services, the Financial Management and Analysis Branch, the Human Resources Branch and the Administrative Operations Branch

Analysis, design, development and implementation of PC-based applications including:

- Applicant Tracking — Human Resources
- Hansard — Library and Information Services
- FOI — Freedom of Information Office
- Prosecution and Fatalities Tracking — Occupational Health and Safety
- WHMIS Notification System — Occupational Health and Safety

Migration of Medical Surveillance System (MESU) from MGS to ministry minicomputer

Completion of business/data model for Occupational Health and Safety Division (OHSD)

Completion of user requirements document for OHSD Registration System

Implementation of Office of Arbitration Case Management System

Migration of Office of Collective Bargaining System (IRIS) from MGS to ministry minicomputer

Completion of analysis and design of Legal Services File Tracking System

* *Ron Brittain was appointed director in February 1989.*

Administrative Operations Branch

R.R. Hogarth
Director

The head office staff of the Administrative Operations Branch provide records management, central purchasing, accommodation, telecommunication, reproduction, mail, stockroom and transportation services to the ministry's program groups.

In 1988/89 the branch's activities included:

Negotiating for and co-ordinating additional facilities or relocations to respond to the expanded operations of the ministry's branches, boards and commissions both at head office and field locations. These include the Employment Standards Branch, the Office of the Worker Adviser, the Office of the Employer Adviser and several district offices

Initiating and co-ordinating improved telephone systems for the ministry

Preparing a business case and acquiring computers to perform automated forms design and compiling of statistics for a records management data base

Revising ministry forms in accordance with the requirements of freedom of information and protection of individual privacy legislation

Procuring equipment, supplies and services on behalf of the ministry. The total amount was $15 million. Purchases ranged from sophisticated technical equipment required by the Occupational Health and Safety Division to replenishments for the ministry's central stockroom. The number of requisitions processed and purchase orders issued increased by 23 per cent over 1987/88.

Ongoing Activities of the Administrative Operations Branch 1988/89

Office Services

Copy Centre	Per month (average)
Average Number of Impressions	1,400,000

Stockroom	Per month (average)
Shipments Received	246
Items Supplied to Program Areas	1,600

Purchasing	
Requisitions Processed	5,320
Purchase Orders Issued	2,870
Tenders Processed	29
Miscellaneous Recquisitions Processed	865

Records Management

Schedule Implementation	Cubic feet
Inactive Records Transferred to the Records Centre	2,044
Destruction of Obsolete Records from Records Centre	842
Destruction of Obsolete Records from Ministry	1,107
Archival Records Transferred to Archivist of Ontario	32

Forms Management	
Review of Forms	313
Analysis and Design of New Forms	85
Analysis and Design of Revised Forms	286
Reprinting of Forms with No Graphic Changes	700
Elimination of Obsolete Forms	396

Accomodations and Assets	
Relocation Projects Completed	15
Telephone Related Projects	100
Accomodations Alterations Projects	25
Data Cabling Installations	30

Negotiations were completed with respect to improved accommodations for 20 per cent of Ministry of Labour staff

Proposals for a voice and data telecommunications study completed and a contract awarded

Note: The head office component of the study is under way

A study of head office 'Programming Space Requirements' completed

Programs have been designed and implemented to bring in house all of our data processing requirements with respect to:

- reproduction cost distribution
- office supplies cost distribution
- moveable assets inventories

Internal Audit Branch

P.A. Gould*
Director

The Internal Audit Branch provides independent and systematic reviews of all operations of the ministry and its agencies (excluding the Workers' Compensation Board).

In 1988/89, the branch:

Presented three audit reports to the Audit Committee

Completed the field work on two audits and conducted the preliminary work on three audits

Carried out special request audits as required

Enhanced audit quality by:

- Automating the audit process and branch management functions
- Providing professional training and development
- Developing policies and procedures, and implementing standards,
- Marketing the internal audit function

Implemented flextime on a trial basis

Ministry Library and Information Services

Sandra A. Walsh
Manager

The Ministry Library and Information Services, one of the major collections in its subject areas in Canada, provides in print, microform and electronic format a centralized, pro-active service in support of the programs and initiatives of the ministry and its agencies, commissions and committees.

In 1988/89, activities included:

Outreach to internal and external clients by orientation programs, visits to district offices and meetings with programs to determine information requirements

Continued implementation of the French Language Services legislation by translation of signage and library publications, staff language training, selection of core publications, cataloguing and indexing for appropriate access

Finalization of the technical development of the HANS data base indexing Ontario Hansard for ministry subject areas and eventual end user access by ministry staff

Final preparation for the migration of the BASIS data bases from the service

* *P.A. Gould was appointed director on March 6, 1989*

bureau to the ministry VAX for eventual end user access by ministry staff

Introduction of a redesigned library bulletin, InfoLink, in a bilingual format

Design and use of a Library wordmark

Ongoing assistance in the planning for library services in the Mines and Minerals Research Centre in Sudbury

Formalized liaison with satellite library collections

Service Statistics

	1988/89	1987/88
Publications Ordered	1,368	1,373
Publications Catalogued	1,932	2,518
Circulation	4,486	5,715
Interlibrary Loans		
Loaned	1,780	1,881
Borrowed	660	538
Reference		
Ministry	1,821	1,736
Non-Ministry	5,134	4,992
Online Literature Searches	831	578
Articles Indexed	7,203	6,765
Bulletins Mailed	40.150	37,961
Articles Requested		
Ministry	7,838	8,078
Non-Ministry	7,797	7,058
Records on BASIS Databases		
MOLINDEX		
(Serials)	76,188	70,680
MOLICAT		
(Library Catalogue)	26,104	24,378
OLRB Decisions	8,105	7,906
ESA Decisions	2,380	2,281

Freedom of Information and Privacy Protection Office

Christopher Berzins
Acting Co-ordinator

The Freedom of Information and Privacy Protection Office has two main areas of responsibility. The first is co-ordination of responses by the ministry to requests for information that are made under the *Freedom of Information and Protection of Privacy Act*. The second is ensuring that the ministry complies with the Act's restrictions on the collection, use and disclosure of personal information.

The office's co-ordinator provides advice to the deputy minister and to senior management with respect to the ministry's obligations under the Act. Guidance and information are also provided to ministry program areas and to the general public.

In 1988/89, the office

Received a total of 130 requests for information, 113 of those for general records and 17 for personal information

Completed 114 requests for information

Co-ordinated the ministry's submissions for the confidentiality clauses review conducted by Management Board

Made educational presentations to groups within the ministry and to co-ordinators in other government institutions

Organizations Reporting Directly to the Deputy Minister

Science Policy Adviser

Ann E. Robinson, Ph.D., C.Chem., F.C.I.C.

The Science Policy Adviser continues to:

- Provide advice to the deputy minister on existing and emerging issues in occupational and environmental health and safety
- Maintain contact with other jurisdictions on current issues
- Provide advice on the development of strategies for closer collaboration between government and academic institutions on information exchange, opportunities for staff development and research
- Provide science and science policy advice relating to specific ministry legislative initiatives
- Collect and collate information on research to provide background for the development of an applied research policy

In 1988/89, the Science Policy Adviser's activities included:

- Participating in the interministry discussions concerning various aspects of policy development in biotechnology
- Participating as a member of the Priority Substances Advisory Panel, established under the *Canadian Environmental Protection Act* to develop the Priority Substances List
- Initiating and co-ordinating guest presentations to ministry staff and other occupational health and safety parties on topics of current interest
- Working with a consultant on a structural framework for the education, training and information transfer needs of all workplace parties
- Participating as a member of the Federal-Provincial Advisory Committee on Environmental and Occupational Health

Legal Services Branch

Judith Wolfson
Director

The Legal Services Branch provides general legal advice to the Ministry of Labour; drafts legislation and regulations; conducts prosecutions, hearings and appeals to enforce the ministry's legislation; prepares contracts and other legal documents for the ministry.

In 1988/89, the branch:

- Assisted in drafting three major pieces of legislation within the ministry's responsibility
- Assisted in drafting 23 regulations under the main ministry acts
- Received 648 files recommending prosecutions under the *Occupational Health and Safety Act*. In addition, branch lawyers attended 534 trials concerning health and safety matters and completed 488 cases, a 74 per cent increase over the 287 cases completed in 1987/88. Along with the carry-over of cases from the 1987/88 fiscal year, the branch carried in excess of 1,150 active cases at any one time
- Received 160 requests to represent occupational health and safety

inspectors in the appeal of their orders. This represents a 105 per cent increase over 1987/88, when there were 78 requests

Appeared as counsel for the ministry in 179 applications for review of Orders to Pay and section 51 hearings under the *Employment Standards Act* (a 20 per cent increase). The branch also received 233 new cases under the said Act, a 115 per cent increase over 1987/88, when we received 108 new cases

Drafted and approved 194 contracts, 20 of which were complex and included extensive drafting. The 194 approved contracts represent a 35 per cent increase over the 144 contracts approved in 1987/88

Received 196 written requests for opinions; this is a 62 per cent increase over last fiscal year, when 121 written requests were received

Assisted the ministry in its response to requests under the *Freedom of Information and the Protection of Privacy Act* and appeals under that Act

Expanded in size by two staff; one lawyer and one secretary, bringing the staff complement to 29

Renovated the existing space on the 25th Floor at 400 University Avenue to build four additional offices. The renovation enabled the branch to accommodate all its staff on one floor.

Co-ordinator of French Language Services

Hélène Hunt
Co-ordinator

The Office of the Co-ordinator of French Language Services provides consultation and advice to the deputy minister and senior ministry management in the implementation of the *French Language Services Act*. The co-ordinator also provides information to francophone groups of Ontario on ministry programs and services. The co-ordinator represents the ministry on the Council of Co-ordinators of French Language Services, chaired by the executive director of the Office of Francophone Affairs.

In 1988/89, the co-ordinator:

Had the ministry French Language Services Plan approved by the Office of Francophone Affairs and the French Language Services Commission

Organized the initial translation of the ministry's regulations as well as of existing information material

Chaired a committee that developed new French training policies and organized training for eligible incumbents of positions identified for designation

Monitored the implementation of the French Language Services Plan throughout the ministry and its agencies, boards and commissions

Director of Appeals

E. Smith
Director

The Director of Appeals reports directly to the deputy minister and is responsible for hearing appeals from orders or decisions of inspectors under section 32 of the *Occupational Health and Safety Act*.

In 1988/89, 170 appeals were registered. The large majority were withdrawn or settled prior to hearing. Thirty-one decisions were rendered during this period as a result of hearings.

Communications Branch

Robert I. Cohen
Director

The goal of the Communications Branch is to create and sustain awareness and understanding of the laws administered by the ministry and of its policies and programs. Communication materials are produced in English, French and third languages. The branch provides professional advice and program support to the minister, his deputy and senior officials through two avenues – news and information and communications planning and services.

Activities for 1988/89 included:

In consultation with relevant program areas produced 67 new brochures and publications, revised 16 others and reprinted 39; helped to develop several slide presentations

Researched and wrote 30 statements and 43 speeches

Issued 37 news releases and answered about 2,200 news media inquiries in both official languages

Responded to public telephone inquiries and requests for ministry publications

Published eight print 'newsletters' and produced two video 'newsletters' for ministry staff

Provided communications support, including background documents, news releases, speeches, statements and brochures, for major policy initiatives, including occupational health and safety reform, workers' compensation reform, smoking-in-the-workplace legislation and the introduction of the Workplace Hazardous Material Information System (WHMIS)

Managed summer training program for journalism students without outside news media sponsors.

Boards and Commissions

Ontario Labour Relations Board

M.G. Mitchnick* **T.A. Inniss**
Chair **Registrar**

The Ontario Labour Relations Board is a quasi-judicial, independent tribunal responsible for the administration of the *Labour Relations Act*. Under this Act, the board:

Certifies trade unions as collective bargaining agents for employees

Appoints officers to mediate complaints of contraventions of the Act, conducts hearings into complaints that are not settled and grants remedial orders where it finds that the Act has been contravened

Issues directions and declarations where unlawful strikes and lock-outs have occurred

Settles jurisdictional disputes arising from assignment of work

Accredits employers' organizations and employer bargaining agencies in the construction industry

Certifies employee bargaining agencies in the construction industry

Conducts arbitration hearings arising from grievances under construction industry collective agreements

Terminates bargaining rights

Directs the settlement of a first collective agreement by arbitration

Arbitrates the settlement of a first collective agreement

Provides decisions for the minister relating to his authority to appoint conciliation officers or arbitrators

Details of the activities of the board and its staff will be found in the board's 1988/89 annual report.

* *M.G. Mitchnick was appointed chair on March 20, 1989.*

Advisory Council on Occupational Health and Occupational Safety

Dr. D.R. McCalla **Dr. C.J. Tuohy**
Chairman **Vice-chairman**

The Advisory Council on Occupational Health and Occupational Safety advises the Minister of Labour on matters relating to occupational health and safety that may be brought to its attention or referred to it. Membership of the council is drawn from management, labour, and technical and professional persons and the public who are concerned with and have knowledge of occupational health and safety.

During the 1988/89 fiscal year, council submitted one advisory memorandum to the minister:

Concerning Amendments to the Occupational Health and Safety Act

and proceeded with consideration of proposed amendments to the occupational health and safety legislation in preparation for providing further advice to the minister in this area.

Further details of the activities of council and its task forces on education and training and small business, together with the minister's responses to council advisory memoranda, may be found in council's Eleventh Annual Report.

Workers' Compensation Board

Robert G. Elgie, Q.C., M.D., F.R.C.S.(C)
Chairman

The Workers' Compensation Board of Ontario, which operates out of 14 offices province-wide, including a Toronto head office, provides three fundamental services for Ontario's workers and employers. First, it adjudicates claims for work-related injuries and occupational diseases, and it compensates workers for the time lost from work and for permanent disability. Second, it furnishes injured workers with comprehensive health care and vocational rehabilitation services to assist in their recovery and return to gainful employment. Third, it pays for these services through the collection of funds from the province's employers.

In 1988, the board's activities included:

A new Medical Rehabilitation Strategy to provide early access to high quality health care closer to workers' homes through the creation of a network of community clinics and regional evaluation centres, and a provincial medical rehabilitation institute

A new Vocational Rehabilitation Strategy to provide early, effective and intensive vocational rehabilitation services to mitigate the effects of an injury on a worker's employment capabilities

Interpreted the statutory phrase 'injury by accident' as part of the first section 86n review

The opening of a sixth regional office in Windsor as another step in the board's decentralization program

Promotion of a safe workplace through 'Workwell', a pilot program developed for introduction in 1989. It uses financial rewards and penalties for employers to maintain safe and healthy workplaces

Development of a Workers' Benefit System to automate the benefit payment function by the end of 1989

The year 1988 saw new claims across the province increase to 489,819. Of total claims:

43.9 per cent (215,186) were accepted as lost-time claims, involving time off work and compensation payments

46.5 per cent (227,654) were accepted as no-lost-time claims for accidents that necessitated health care treatment but no time off work beyond the day of the accident

7.5 per cent (36,876) were not accepted as claims in either category

2.1 per cent (10,103) were otherwise categorized (including withdrawn or pending claims).

During the year, the board:

Paid benefits totalling $1,624,467,000

Collected $2,200,662,000 in assessment income from the 201,000 employers in Ontario included under Schedule 1 of the *Workers' Compensation Act*

Further details of these developments and of other board activities may be found in the board's 1988 annual report, which covers the fiscal year ending December 31, 1988. A statistical supplement to the 1988 annual report is also available upon request from the Communications Branch, Workers' Compensation Board, (416) 927-3500.

Workers Compensation Appeals Tribunal

S. Ronald Ellis
Chairman

The Workers' Compensation Appeals Tribunal (WCAT) is the final level of appeal to which workers and employers may bring Workers' Compensation Board (WCB) matters regarding entitlement to benefits, health care and vocational rehabilitation. It also decides appeals from WCB decisions on assessments, penalties and transfers of costs as well as disputes over employer access to workers' files and workers' objections to undergoing medical examinations requested by employers. In addition, the tribunal decides if a person has the right to sue in court instead of making a compensation claim. WCAT is an independent tribunal, separate and apart from WCB.

In 1988/89, the tribunal:

Issued decisions on a number of important issues including pension assessments, pension supplements, occupational diseases, occupational stress, time problems and the right to sue

Trained a number of new full- or part-time panel members in hearings procedure and substantive legal and medical issues and continued the education of existing members and staff. Re-organized internal procedures with a view to producing faster access to hearings and decisions without sacrificing the quality of the decision-making process

Adopted a formal Statement of Mission, Goals and Commitments, designed to institutionalize a carefully considered tribunal-wide view of the tribunal's basic mandate

Issued the chairman's third report

Held 1,122 hearings 881 in Toronto and 241 in seven regional centres around the province and disposed of another 724 cases without a hearing

Released 1,390 decisions, of which 192 were published in the tribunal's *Reporter*

Continued to prepare for the implementation of the *French Language Services Act* in November 1989; was able to conduct hearings and issue decisions in the French language

Continued to recognize an institutional responsibility to assist the employer and worker communities in understanding the tribunal's role and operation and accepted invitations to speak at conferences and meetings and participate in seminars and workshops

Improved the library's overall access to information and resources

Published six volumes of the *Reporter*, a journal of the tribunal's significant decisions

Set up and activated a full-text data base of Workers' Compensation Appeals Tribunal decisions, known as WCAT ONLINE, with general access scheduled for 1989

Continued with the development of a computerized case management system.

Industrial Disease Standards Panel

J. Stefan Dupré
Chairman

The Industrial Disease Standards Panel (IDSP) is a Schedule I Agency that investigates possible industrial disease in the province, makes findings of probable connection between disease and the workplace and recommends criteria and eligibility rules for the adjudication of claims for compensation for those industrial diseases. The IDSP reports its findings to the Workers' Compensation Board of Ontario (WCB).

In 1988/89, the IDSP produced Reports of Findings on:

- The methodological issue referred to as the 'Healthy Worker Effect', a phenomenon that confers a healthier status on a worker, especially during his early employment, than on an appropriate match in the general population. This phenomenon can affect the estimation of disease risk in working populations

- Its review of several recommendations of the Royal Commission on Asbestos concerning: the scheduling (in Schedule 4 of the *Workers' Compensation Act*) of asbestosis and mesothelioma; the compensation for both physical and psychological impairment from asbestosis; entitlement to survivors of workers with partial disability awards for asbestosis when death occurs from certain cancers; certain matters of notification; and the reorganization of the board's advisory committee on occupational chest diseases

- A reported excess of certain female cancers in a lamp plant manufacturing company; and

- Lung cancer and Ontario uranium miners.

The IDSP also:

- Continued its study on matters arising during the adjudication of claims for occupational diseases

- Continued its review of other recommendations of the Royal Commission on Asbestos in preparation for additional Reports of Findings on asbestos-related disease

- Completed the review of options for the development of an Ontario occupational cancer data base using the Ontario Cancer Registry

- Drafted questions on occupational health and disease for possible inclusion in the first Ontario Health Status Survey

- Initiated a review of the WCB's guidelines on laryngeal cancer and nickel exposure

- Initiated a study concerning occupational diseases, including cardiovascular disease, among Ontario firefighters

- Initiated a study of the possible relationship between aluminum exposure and any related health effects

Public Service Appeal Boards

J. Shirlow*
Secretary

The four statutory tribunals comprising the Public Service Appeal Boards function as independent quasi-judicial tribunals that oversee the labour relations of Ontario Crown employees.

Ontario Public Service Labour Relations Tribunal

P.C. Picher	**J. Shirlow****
Chairperson	**Registrar**

The Ontario Public Service Labour Relations Tribunal administers the *Crown Employees Collective Bargaining Act*, and is empowered by the Act to appoint mediators and arbitrators and to adjudicate matters referred to it by government employers, employee organizations or employees, such as:

- representation rights
- unfair labour practices
- employee inclusion/exclusion from bargaining units

In 1988/89, the tribunal:

Prepared an index for all tribunal decisions from the inception of the tribunal to date

Increased the use of investigators to effect settlement of cases or reduce the issues in dispute

Began a process whereby cases can be consolidated for hearing

Increased the number of decisions issued

Improved efficiency in administering cases through the use of technology

* *J. Shirlow was appointed secretary on June 13, 1988.*

** *J. Shirlow was appointed registrar on June 13, 1988.*

Crown Employees Grievance Settlement Board

O.B. Shime	**J. Shirlow***
Chairperson	**Registrar**

The Crown Employees Grievance Settlement Board is an independent agency responsible for the resolution of collective agreement disputes between the employer, trade unions and employees. It reports to the legislature through the Minister of Labour.

In 1988/89, the board:

Established procedures to deal effectively and efficiently with the backlog of non-Office Administration Group classification cases, including consolidating classification grievances, and establishing procedures for the parties to exchange documents prior to the hearing to facilitate the hearing process

Arranged for a special mediator to assist the parties in the handling of Office Administration Group classification cases

Improved efficiency in administering cases through the use of technology

Increased number of hearings scheduled, hearings held, and decisions issued

* *J. Shirlow was appointed registrar on June 13, 1988.*

Eliminated the backlog for scheduling new cases and became current in them

Decreased the number of cases pending

Ontario Public Service Labour Relations Tribunal Applications in Fiscal Year	1988/89	1987/88
Filed Before March 31 and Pending	178	123
Filed in Year	52	103
Appointments		
Investigator	77	52
Mediator for Interest Arbitration	9	14
Arbitrator for Interest Arbitration	7	8
Disposition		
Pending Before Investigator	39	6
Pending Before Arbitrator for Interest Arbitration	9	7
Pending Initial Hearing Before Tribunal	39	37
Pending Before Tribunal in Hearing Stage	37	32
Pending Decision	1	6
Decision Issued by Arbitrator for Interest Arbitration	5	3
Decision Issued by Tribunal	61	45

Crown Employees Grievance Settlement Board Grievance in Fiscal Year	1988/89	1987/88
Carried Forward from Previous Fiscal Year	4,371	3,821
Filed in Year		
Dismissal	68	70
Classification	450	1,422
Policy	88	62
Other	973	1,059
Total	1,579	2,613
Hearings Scheduled	2,167	2,001
Cases Settled	1,288	1,740
Actual Hearings Held	696	558
Decisions Issued	585	323
Cases Pending as of End of Fiscal	4,077*	4,371

* *Of the 4,077 cases pending, 2,776 are classifications cases including 1,138 Office Administration Group cases.*

Public Service Grievance Board

G.G. Brent
Chairperson

J. Shirlow*
Secretary

The Public Service Grievance Board operates pursuant to the *Public Service Act* and is responsible for the adjudication of grievances concerning non-bargaining unit employees involving such matters as dismissal, working conditions and terms of employment.

Public Service Grievance Board Grievance in Fiscal Year	1988/89	1987/88
Filed Before March 31 and Pending	22	16
Filed in Year	23	24
Settled or Withdrawn	9	12
Decisions Issued	3	6
Cases Pending as of March 31	33	22

* *J. Shirlow was appointed secretary on June 13, 1989.*

Classification Rating Committees

J. Shirlow*
Secretary

Classification Rating Committees are designated by the chairman of the Civil Service Commission. Pursuant to Regulation 881 under the *Public Service Act*, committees are appointed to adjudicate classification grievances concerning non-bargaining unit employees.

Classification Rating Committees Grievance in Fiscal Year	1988/89	1987/88
Filed Before March 31 and Pending	15	10
Filed in Year	11	10
Settled or Withdrawn	10	5
Decisions Issued	2	0
Cases Pending as of March 31	14	15

* *J. Shirlow was appointed secretary on June 13, 1989.*

Pay Equity Commission

Brigid O'Reilly*
Commissioner

The Pay Equity Commission was created by Bill 154, the *Pay Equity Act*, 1987, which was proclaimed January 1, 1988.

The commission's mandate is to assist employers, employees and bargaining agents in achieving pay equity under the terms of the Act.

The commission consists of two parts: the Pay Equity Office and the Pay Equity Hearings Tribunal.

Pay Equity Office

The Pay Equity Office itself is divided into three branches: Policy and Research, Information and Education, and Review Services.

The Policy and Research Branch provides analytical support to the commission, its client groups and the government by developing policy and conducting research on current and emerging pay equity issues.

The Information and Education Services Branch is responsible for public education, including: an extensive publishing program, workshops, seminars, conferences, telephone counselling, public and media relations, and other outreach activities.

The Review Services Branch offers conciliation and mediation services, if needed, to employers, employees and bargaining agents.

* *Brigid O'Reilly was appointed commissioner on March 1, 1989.*

In addition to staff in the three branches, the commission has the services of legal counsel and specialists in compensation.

Pay Equity Hearings Tribunal

The Pay Equity Hearings Tribunal is an independent, quasi-judicial adjudicative body that hears complaints and rules on appeals from affected groups. Chaired by Beth Symes, the tripartite tribunal consists of full-time and part-time vice-chairs as well as other members representing both employers and employees. All are appointed by the lieutenant-governor in council.

The tribunal hears cases in panels of three: a member representing employers, a member representing employees and a panel chair.

1988/89 Activities of the Pay Equity Commission

During the first few months of its existence, the commission's activities have included, by area:

Pay Equity Office

Policy and Research Branch

Fifteen guidelines were developed to assist clients in implementing pay equity

A longitudinal study was initiated to monitor the implementation of pay equity and to determine the effectiveness of the Act in reducing the gender-based proportion of the wage gap in Ontario.

In January 1989, the Minister of Labour tabled the commission's 'Report on Sectors of the Economy Which Are Predominantly Female'. Ontario is the only jurisdiction to have undertaken such a

comprehensive study of predominantly female workplaces. The study included nine sectoral reports on: childcare, community and social services, health care, libraries, manufacturing, retail, leather/apparel manufacturing, tourism and personal services. Research testing the five options outlined in the report is currently under way. A quantitative survey was also carried out within the nine sectors. Questionnaires were sent to over 7,000 employers in Ontario, 65 per cent of whom responded. Detailed results of this study will be published in 1989.

Information and Education Branch

Developed a 30-hour pay equity training program, which was adopted by all of Ontario's 22 community colleges. More than 100 college instructors have been trained by the commission in the delivery of this program

Responded to some 10,000 inquiries through the commission's telephone hot lines. Responses included instruction, counselling and referrals

Developed a mailing list of 18,000 names

Published a number of educational and informational materials including:

- basic information kit
- newsletters
- implementation guidelines
- a book, *How to Do Pay Equity Job Comparisons*

Translated key employee publications into 11 languages other than English and French

Produced two training videos

Conducted more than 500 presentations: speaking engagements, seminars, conferences and workshops, reaching some 22,000 people

Held six major regional conferences with a total of 2,400 participants: Toronto, 1,300 (two conferences); Sudbury, 200; London, 350; Thunder Bay, 300; and Ottawa, 350

Developed and implemented educational programs and strategies for public and private sector employers and bargaining agents

Review Services Branch

Recruited and trained a total of seven review officers to provide third-party assistance to union and management groups developing pay equity plans under the Act

Received 44 complaints under the Act, of which,

- 30 have been settled
- Three have been referred to the Pay Equity Hearings Tribunal by order or decision
- 11 are still under active review

Provided preventive assistance to parties developing pay equity plans through consultation and informal mediation

Clarified, with the labour-management community, the dispute resolution process that the branch offers through speaking engagements, seminars, guideline preparation and internal policy development

Opened dialogue with agencies administering other pieces of labour legislation that relate to the Act

Pay Equity Hearings Tribunal

Members of the tribunal, appointed May 1, 1988, were chosen for their labour relations and compensation experience. Members underwent an intensive education program on pay equity, administrative law, adjudication and decision writing.

The tribunal prepared draft principles of case management and circulated them to employers, groups of employers, employers' organizations, unions, advocacy groups representing women, and labour lawyers representing management and employees. In addition, members of the tribunal met with legal representatives from Thunder Bay, Sudbury, Ottawa, Hamilton, London and Windsor to receive their criticisms and suggestions

Prepared forms to assist the parties to comply with the Rules of Practice. The Rules of Practice and forms have been translated into French

Members of the tribunal have been engaged in an active program of outreach to the community and have spoken and given papers to numerous groups

Based upon those comments, the tribunal drafted its Rules of Practice and circulated the draft for comments. Further revisions were done.